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HIGHLIGHTS OF THIS ISSUE

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FEDERAL REGISTER

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List of CFR Parts Affected

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears following the Notices section of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1971, and specifies how they are affected.

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of the Army

Section 213.3107 is amended to show that not to exceed 200 positions of members of treatment and counseling teams and related positions, such as those of ward attendant and occupational therapy assistant, to assist in the implementation of a drug rehabilitation program are excepted under schedule A when filled by persons who have a history of drug addiction and who have been successfully treated.

Effective on publication in the FEDERAL REGISTER (10–21–71), subparagraph (8) of paragraph (a) is added under § 213.3107 as set out below.

§ 213.3107 Department of the Army.

(a) *General.* * * *

(8) Not to exceed 200 positions of members of treatment and counseling teams and related positions, such as those of ward attendants and occupational therapy assistants, to assist in the implementation of a drug rehabilitation program, when filled by persons who have a history of drug addiction and who have been successfully treated.

* * * * *

(5 U.S.C. secs. 3301, 3302, E.O. 10577; 3 CFR 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.71–15326 Filed 10–20–71;8:49 am]

PART 213—EXCEPTED SERVICE

Executive Office of the President

Section 213.3303 is amended to show that one position of confidential assistant to the Special Representative for Trade Negotiations is excepted under schedule C.

Effective on publication in the FEDERAL REGISTER (10–21–71), subparagraph (4) is added to paragraph (d) of § 213.3303 as set out below.

§ 213.3303 Executive Office of the President.

* * * * *

(d) Office of the Special Representative for Trade Negotiations.

* * * * *

(4) One confidential assistant to the Special Representative.

* * * * *

(5 U.S.C. secs. 3301, 3302, E.O. 10577; 3 CFR 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.71–15331 Filed 10–20–71;8:49 am]

PART 213—EXCEPTED SERVICE

Department of Defense

Section 213.3306 is amended to show that one position of private secretary to the Assistant Secretary of Defense (Intelligence) is excepted under schedule C.

Effective on publication in the FEDERAL REGISTER (10–21–71), subparagraph (2) of paragraph (a) of § 213.3306 is amended as set out below.

§ 213.3306 Department of Defense.

(a) *Office of the Secretary.* * * *

(2) Two private secretaries to the Deputy Secretary of Defense and one private secretary to each of the following: * * * the Assistant Secretaries of Defense Manpower and Reserve Affairs), (International Security Affairs), (Public Affairs), (Installations and Logistics), (Administration), (Comptroller), (Systems Analysis), and (Intelligence); * * *

* * * * *

(5 U.S.C. secs. 3301, 3302, E.O. 10577; 3 CFR 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.71–15327 Filed 10–20–71;8:49 am]

PART 213—EXCEPTED SERVICE

Department of the Interior

Section 213.3312 is amended to show that one position of confidential assistant to the Assistant to the Secretary and Director of Congressional Liaison is excepted under schedule C.

Effective on publication in the FEDERAL REGISTER (10–21–71), subparagraph (32) of paragraph (a) is added under § 213.3312 as set out below.

§ 213.3312 Department of the Interior.

(a) *Office of the Secretary.* * * *

(32) One confidential assistant to the Assistant to the Secretary and Director of Congressional Liaison.

* * * * *

(5 U.S.C. secs. 3301, 3302, E.O. 10577; 3 CFR 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.71–15330 Filed 10–20–71;8:49 am]

PART 213—EXCEPTED SERVICE

Department of the Interior

Section 213.3312 is amended to show that one position of assistant to the assistant Secretary for Management and Budget is excepted under schedule C.

Effective on publication in the FEDERAL REGISTER (10–21–71), subparagraph (31) is added to paragraph (a) of § 213.3312 as set out below.

§ 213.3312 Department of the Interior.

(a) *Office of the Secretary.* * * *

(31) One assistant to the Assistant Secretary for Management and Budget.

* * * * *

(5 U.S.C. secs. 3301, 3302, E.O. 10577; 3 CFR 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.71–15329 Filed 10–20–71;8:49 am]

PART 213—EXCEPTED SERVICE

Environmental Protection Agency

Section 213.3318 is amended to show that one position of staff assistant to the Administrator is excepted under schedule C.

Effective on publication in the FEDERAL REGISTER (10–21–71), paragraph (x) is added to § 213.3318 as set out below.

§ 213.3318 Environmental Protection Agency.

* * * * *

(x) One staff assistant to the Administrator.

(5 U.S.C. secs. 3301, 3302, E.O. 10577; 3 CFR 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc. 71–15323 Filed 10–20–71;8:49 am]

Title 7—AGRICULTURE

Chapter II—Food and Nutrition Service, Department of Agriculture

PART 225—SPECIAL FOOD SERVICE PROGRAM FOR CHILDREN

Appendix—Third Apportionment of Food Assistance and Nonfood Assistance Funds Pursuant to National School Lunch Act for Fiscal Year 1971

Pursuant to section 13, of the National School Lunch Act, as amended, food assistance and nonfood assistance funds

available for the fiscal year 1971, are reapportioned among the States as follows:

State	Total apportionment
Alabama	$204,656
Alaska	8,522
Arizona	136,503
Arkansas	141,000
California	417,237
Colorado	165,871
Connecticut	127,830
Delaware	79,485
District of Columbia	113,401
Florida	630,710
Georgia	900,869
Guam	2,456
Hawaii	62,977
Idaho	29,150
Illinois	509,000
Indiana	334,951
Iowa	156,182
Kansas	102,365
Kentucky	200,808
Louisiana	549,770
Maine	56,153
Maryland	112,233
Massachusetts	252,168
Michigan	344,398
Minnesota	348,894
Mississippi	192,383
Missouri	401,033
Montana	34,858
Nebraska	85,219
Nevada	42,147
New Hampshire	77,051
New Jersey	257,085
New Mexico	73,895
New York	494,405
North Carolina	703,177
North Dakota	34,173
Ohio	562,369
Oklahoma	210,994
Oregon	99,620
Pennsylvania	312,012
Puerto Rico	221,978
Rhode Island	47,048
South Carolina	386,705
South Dakota	22,308
Tennessee	619,663
Texas	1,088,844
Utah	22,213
Vermont	55,038
Virginia	558,674
Virgin Islands	17,986
Washington	191,990
West Virginia	221,146
Wisconsin	298,108
Wyoming	23,346
Samoa, American	
Trust Territory	4,526
Total	13,347,583

(Sec. 13, 82 Stat. 117; 42 U.S.C. 1761)

Dated: October 16, 1971.

EDWARD J. HEKMAN,
Administrator.

[FR Doc.71-15370 Filed 10-20-71;8:53 am]

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER I—DETERMINATION OF PRICES

PART 873—SUGARCANE; FLORIDA

Fair and Reasonable Prices for 1971 Crop

Pursuant to the provisions of section 301(c)(2) of the Sugar Act of 1948, as amended (herein referred to as "act"), after investigation and due consideration of the evidence presented at the public hearing held in Belle Glade, Fla., on July 13, 1971, the following determination is hereby issued.

The regulations previously appearing in these sections under "Determination of Prices; Sugarcane; Florida" remain in full force and effect as to the crops to which they were applicable.

Sec.
873.31 General requirements.
873.32 Definitions.
873.33 Basic price.
873.34 Conversion of net sugarcane to standard sugarcane.
873.35 Molasses payment.
873.36 Other related specifications.
873.37 Toll agreements.
873.38 Applicability.
873.39 Subterfuge.
873.40 Processor mill procedures and checking compliance.

AUTHORITY: The provisions of §§ 873.31 to 873.40 issued under secs. 301, 403, 61 Stat. 929, as amended, 932; 7 U.S.C. 1131, 1153.

§ 873.31 General requirements.

A producer of sugarcane in Florida who is also a processor of sugarcane, to which this part applies as provided in § 873.38 (herein referred to as "processor"), shall have paid, or contracted to pay, for sugarcane of the 1971 crop grown by other producers and processed by him, or shall have processed sugarcane of other processors under a toll agreement in accordance with the following requirements.

§ 873.32 Definitions.

For the purpose of this part, the term:

(a) "Price of raw sugar" means the daily spot quotation of raw sugar of the New York Coffee and Sugar Exchange No. 10 domestic contract, except that if the Director of the Sugar Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250, determines that such price does not reflect the true market value of raw sugar, because of inadequate volume or other factors, he may designate the price to be effective under this part which he determines will reflect the true market value of raw sugar.

(b) "Season's average price of raw sugar" means (1) the weighted average price of raw sugar for the months in which 1971-crop sugar is delivered to the purchaser, determined by weighting the simple average of the daily prices of raw sugar for each month in which sugar is delivered to the purchaser by the quantity of 1971-crop raw sugar or raw sugar equivalent delivered during each corresponding month, or (2) the average price of raw sugar received by a processor who disposes of all of his sugar under a single contract with a refiner or a cooperative sales organization composed of processors.

(c) "Raw sugar" means raw sugar, 96° basis.

(d) "Net sugarcane" means the gross weight of sugarcane delivered by a producer to a processor minus a deduction equal to the average percentage weight of trash delivered with all sugarcane ground at each mill operated by a processor.

(e) "Trash" means green or dried leaves, sugarcane tops, dirt, and all other extraneous material delivered with sugarcane.

(f) "Standard sugarcane" means net sugarcane containing 12.5 percent sucrose in the normal juice.

(g) "Salvage sugarcane" means sugarcane containing less than 9.5 percent sucrose in the normal juice.

(h) "Average percent sucrose in normal juice" means (1) the average percent crusher juice sucrose of the producer's sugarcane multiplied by a factor representing the ratio of factory normal juice sucrose to factory crusher juice sucrose at the processor's mill; or (2) the average percent sample mill juice sucrose of the producer's sugarcane multiplied by a factor representing the ratio of factory normal juice sucrose to the average sample mill juice sucrose analyses of producers' sugarcane.

(i) "Average percent crusher juice sucrose" means the percentage of sucrose in undiluted crusher juice as determined by direct analysis in accordance with standard procedures.

(j) "Factory normal juice sucrose" means the percentage of sucrose in undiluted juice extracted by a mill tandem as determined by multiplying factory dilute juice purity by factory normal juice Brix.

(k) "Factory crusher juice sucrose" means the percentage of sucrose in undiluted crusher juice as determined by direct analysis.

(l) "Average percent sample mill juice sucrose" means the percentage of sucrose solids in juice extracted from samples of each producer's sugarcane by the sample mill.

(m) "Factory normal juice Brix" means the percentage of soluble solids in undiluted juice extracted from sugarcane by a mill tandem as determined by multiplying factory crusher juice Brix by a dry milling factor representing the ratio of factory normal juice Brix to factory crusher juice Brix.

(n) "Factory crusher juice Brix" means the percentage of soluble solids in undiluted crusher juice as determined by direct analysis.

(o) "Factory dilute juice purity" means the ratio of factory dilute juice sucrose to factory dilute juice Brix which are determined by direct analysis.

(p) "State office" means the Florida State Agricultural Stabilization and Conservation Service Office, 401 Southeast First Avenue, Gainesville, FL 32601.

(q) "State committee" means the Florida State Agricultural Stabilization and Conservation Committee.

§ 873.33 Basic price.

(a) The basic price for standard sugarcane shall be not less than $1.12 per ton for each 1 cent per pound of the season's average price of raw sugar.

(b) The basic price for salvage sugarcane shall be as agreed upon between the processor and producer, subject to the approval of the State office.

§ 873.34 Conversion of net sugarcane to standard sugarcane.

Net sugarcane (except salvage sugarcane) shall be converted to standard sugarcane by multiplying the total quantity of net sugarcane delivered by each producer by the applicable quality factor in accordance with the following table:

Average percent sucrose in normal juice	*Standard sugarcane quality factor*[1]
9.5	0.70
10.0	.75
10.5	.80
11.0	.85
11.5	.90
12.0	.95
12.5	1.00
13.0	1.05
13.5	1.10
14.0	1.15
14.5	1.20
15.0	1.25
15.5	1.30

[1] The quality factor for sugarcane of intermediate percentages of sucrose in normal juice shall be interpolated and for sugarcane having more than 15.5 percent sucrose in the normal juice shall be computed in proportion to the immediately preceding interval.

§ 873.35 Molasses payment.

The processor shall pay to the producer for each ton of net sugarcane delivered an amount equal to the product of 5.7 gallons times one-half of the excess above 4.75 cents per gallon of the weighted average net sales price per gallon of blackstrap or final molasses, basis, f.o.b. tank truck or railroad car at mill, sold during the 12-month period ending May 31, 1972.

§ 873.36 Other related specifications.

(a) If the processor furnishes labor, materials, or services used in harvesting, loading, or transporting the producer's sugarcane from the field to the delivery point(s) on the farm, the charge made for such labor, materials, or services may be as agreed upon between the two parties if the producer has the option of performing such operations himself or by contract with a third party. If contractual arrangements between the processor and producer precludes the producer from performing such operations himself or by contract with a third party, the charge made by the processor shall be limited to the actual direct costs of labor, materials, or services, plus applicable overhead expenses which are properly apportionable under generally accepted accounting principles.

(b) The price for sugarcane established by this part is applicable to sugarcane loaded on carts or trucks at the farm, or if sugarcane is transported by railroad, loaded in railroad cars at the railroad siding nearest the farm, and the processor is required to bear the cost of transporting sugarcane (gross weight) from such points to the mill. If sugarcane is transported a distance of more than 14.9 miles to the mill by railroad or other common carrier, the producer may be required to bear the additional cost of transporting such sugarcane (based upon published tariffs). If the processor transports, in his own conveyance, or arranges for the transportation of sugarcane with other than a common carrier, he may charge the producer 5 cents per ton for each mile such sugarcane is transported in excess of 14.9 miles, or if the producer transports sugarcane to the mill by other than railroad or other common carrier the processor shall pay the producer 5 cents per ton for each mile such sugarcane is transported, but not in excess of 14.9 miles.

(c) Deductions for frozen sugarcane, fiber content determinations and deductions, definitions of delivery schedules and similar specifications employed in connection with the purchase of 1971-crop sugarcane shall be substantially in accordance with the general practices in Florida and as agreed upon between the producer and the processor.

(d) Nothing in paragraph (c) of this section shall be construed as prohibiting modification of customs and practices which may be necessary because of unusual circumstances, any such modification to be reported in writing by the processor to the State office.

(e) In the event a general freeze causes abnormally low recoveries of raw sugar by a processor in relation to the sucrose test of the sugarcane, payment for such sugarcane may be made as agreed upon between the producer and the processor subject to the written approval of the State office upon a determination by the State committee that the payment is fair and reasonable.

(f) The processor shall submit to the State office for approval (1) a statement setting forth the weighted average price of raw sugar upon which settlements with producers are based; (2) a statement setting forth the gross proceeds and the handling and delivery expenses deducted in arriving at the weighted average net sales price of blackstrap molasses; and (3) if subject to the proviso set forth in paragraph (a) of this section, a statement setting forth for each producer the direct costs of labor, materials, and services, plus applicable overhead expenses, used in harvesting, loading, or transporting the producer's sugarcane from the field to the farm delivery point.

§ 873.37 Toll agreements.

The rate for processing sugarcane produced by a processor and processed under a toll agreement by another processor shall be the rate they agree upon.

§ 873.38 Applicability.

The requirements of this part are applicable to all sugarcane purchased from other producers and processed by a processor who produces sugarcane (a processor-producer is defined in 7 CFR 821.1); and to sugarcane purchased by a cooperative processor from nonmembers. The requirements are not applicable to sugarcane processed by a cooperative processor for its members.

§ 873.39 Subterfuge.

The processor shall not reduce returns to the producer below those determined in accordance with the requirements of this part through any subterfuge or device whatsoever.

§ 873.40 Processor mill procedures and checking compliance.

The procedures to be followed by processors in determining net sugarcane, trash, average percent sucrose in normal juice, average percent crusher juice sucrose, factory normal juice sucrose, factory crusher juice sucrose, average percent sample mill juice sucrose, and other related mill procedures and required reports are set forth in Handbook 9–SU entitled "Sampling, Testing, and Reporting for Florida Sugar Processors," copies of which have been furnished each processor. The procedures to be followed by the State office in checking compliance with the requirements of this part are set forth under the heading "Fair Price Compliance" in Handbook 3–SU, issued by the Deputy Administrator, State and County Operations, Agricultural Stabilization and Conservation Service. Handbooks 9–SU and 3–SU may be inspected at county ASCS offices and copies may be obtained from the Florida States ASCS Office, 401 Southeast First Avenue, Gainesville, FL 32601.

STATEMENT OF BASES AND CONSIDERATIONS

General. The foregoing determination establishes the fair and reasonable price requirements which must be met, as one of the conditions for payment under the act, by a producer who processes sugarcane of the 1971 crop grown by other producers.

Requirements of the act. Section 301 (c) (2) of the act provides as a condition for payment, that the producer on the farm who is also directly or indirectly a processor of sugarcane, as may be determined by the Secretary, shall have paid, or contracted to pay under either purchase or toll agreements, for sugarcane grown by other producers and processed by him at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing.

1971 crop-price determination. This determination differs from the 1970 crop determination in the following respects: (1) The average price of raw sugar received by a processor may be used as the basis for settlement with producers for sugarcane if the processor disposes of all of his sugar under a single contract with a refiner or a cooperative marketing association composed of processors; (2) the provision concerning the sale of molasses by a processor for his own account and for the account of another processor is deleted; (3) the molasses payment to producers is to be based on 5.7 gallons of blackstrap molasses per ton of sugarcane instead of 5.8 gallons, reflecting the most recent 5-year average recovery; and (4) provision is made concerning charges to the producer by the processor for harvesting, loading, or transporting sugarcane.

A public hearing was held in Belle Glade, Fla., on July 13, 1971, at which

interested persons were afforded the opportunity to present testimony relating to fair and reasonable prices for 1971-crop Florida sugarcane. A representative of the Florida Sugar Exchange, Inc., recommended that processors who sell their sugar to more than one refiner through a cooperative sales organization composed of processors be permitted to determine payments to growers on the basis of the average price actually received on all of the sugar sold by the cooperative. Representatives of the U.S. Sugar Corp. and Florida Farm Bureau recommended that the sharing relationship between producers and processors established in the 1970 crop fair-price determination continue unchanged. The former also reported that the practice of selling molasses for the account of another processor has not existed for several years, and the provision relating to the price of molasses under this situation is, therefore, no longer needed.

The Glades Association of Independent Sugar Cane Growers, Inc., submitted a statement subsequent to the hearing opposing the recommendation made by the Florida Sugar Exchange, Inc., and recommending that processors be required to pay all independent producers on the basis of the season's average price of raw sugar as determined from the daily spot quotations of the New York Coffee and Sugar Exchange No. 10 domestic contract. The association also stated that the processor to whom its members sell their cane pays the independent producers only 80 percent of the monthly liquidation for sugar sold and delivered from December through August, and from September until final liquidation is made near the end of the year the payment is increased to 90 percent; it was requested that this practice of withholding and using money due the growers be ruled as unreasonable. The association further recommended that the Department review the provision concerning the transporting of sugarcane to the mill and update it with current freight rates, since the present system allows the processor to allocate freight charges between "over-the-road hauling" and "in-field hauling" which is disproportionately favorable to the processor.

Consideration has been given to the testimony and recommendations presented at the public hearing; to data on the returns, costs, and profits of producing and processing sugarcane in Florida obtained by field survey for recent crops and recast in terms of price and production conditions likely to prevail for the 1971 crop; and to other pertinent information. Analysis of the relative positions of producers and processors indicates that the provisions of this determination will provide an equitable sharing of total returns based on their sharing of total costs.

The recommendation made by the Florida Sugar Exchange, Inc., has been adopted. A processor who sells all of his sugar through a cooperative sales organization, which may or may not sell its members' sugar to more than one refiner, may now base his payment to producers on the average price of raw sugar actually received by the cooperative. Prior determinations permitted grower payments to be based on the price actually received provided the processor disposed of all of his sugar under a single contract with a refiner. It is believed that this modification will provide a more equitable basis for sugarcane settlements.

The suggestion of the Glades Association of Independent Cane Growers, Inc., concerning the processor's practice of withholding and using money due the grower has not been adopted. It is believed that processors generally make settlement with producers on a reasonable basis. The Department continues, however, to encourage processors to pay producers as large a portion of the payment as possible prior to final settlement, and in a timely fashion.

Another recommendation by the Association that the determination be updated with current freight rates has also not been adopted. The provision in question merely requires the processor, once he takes delivery of sugarcane at the farm delivery point, to bear the cost of transporting the cane to the mill up to a distance of 14.9 miles. The producer may be required to bear the costs for distances in excess of 14.9 miles. The provision also allows the processor, if he transports cane in his own conveyance or if he arranges for transportation with other than a common carrier, to charge the producer 5 cents per ton for each mile in excess of 14.9 miles. If the producer transports cane to the mill by other than common carrier, the processor must pay the producer 5 cents per ton for each mile but not in excess of 14.9 miles. It is believed that this provision continues to be fair and reasonable.

Concerning the Association's reference to "in-field hauling", this determination includes a provision whereby the charge made by the processor for harvesting, loading, or transporting a producer's cane to the farm delivery point may be as agreed upon between the processor and producer provided the producer has the right to perform such operations himself or by contract with another party. If the producer does not have this option because of his contractual arrangements with the processor, then the charge made by the processor is limited to direct costs plus applicable overhead. The processor is required in the latter case to submit to the State office a statement detailing such direct costs and overhead.

Since the selling of molasses by one processor for the account of another processor is no longer practiced, the provision relating to the price of molasses under that situation is deleted from this determination.

The determination provides that the molasses payment to producers is to be based on 5.7 gallons of blackstrap molasses per net ton of sugarcane, instead of 5.8 gallons, to reflect a decline in the 5-year average recovery.

On the basis of an examination of all relevant factors, the provisions of this determination are deemed to be fair and reasonable. Accordingly, I hereby find and conclude that the foregoing determination will effectuate the price provisions of the Sugar Act of 1948, as amended.

Effective date. This determination shall become effective upon publication in the FEDERAL REGISTER (10-21-71), and is applicable to the 1971 crop of Florida sugarcane.

Signed at Washington, D.C., on October 13, 1971.

KENNETH E. FRICK,
Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc.71-15376 Filed 10-20-71;8:53 am]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Valencia Orange Reg. 371]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 908.671 Valencia Orange Regulation 371.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908, 36 F.R. 16625), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons

were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on October 19, 1971.

(b) *Order.* (1)—The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period October 22, through October 28, 1971, are hereby fixed as follows:

(i) District 1: 102,000 cartons;

(ii) District 2: 498,000 cartons;

(iii) District 3: Unlimited.

(2) As used in this section, "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: October 20, 1971.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[FR Doc.71–15481 Filed 10–20–71;11:28 am]

PART 927—BEURRE D'ANJOU, BEURRE BOSC, WINTER NELIS, DOYENNE DU COMICE, BEURRE EASTER, AND BEURRE CLAIRGEAU PEARS GROWN IN OREGON, WASHINGTON, AND CALIFORNIA

Expenses and Rate of Assessment

On September 9, 1971, notice of rule making was published in the FEDERAL REGISTER (36 F.R. 18473) regarding proposed expenses and the related rate of assessment for the fiscal period July 1, 1971, through June 30, 1972, pursuant to the amended Marketing Agreement and Order 927 (7 CFR Part 927), regulating the handling of Beurre D'Anjou, Beurre Bosc, Winter Nelis, Doyenne du Comice, Beurre Easter, and Beurre Clairgeau varieties of pears grown in Oregon, Washington, and California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Control Committee (established pursuant to said amended marketing agreement and order), it is hereby found and determined that:

§ 927.211 Expenses and rate of assessment.

(a) *Expenses.* Expenses that are reasonable and necessary to be incurred by the Control Committee during the period July 1, 1971, through June 30, 1972, will amount to $57,360.

(b) *Rate of assessment.* The rate of assessment for said period, payable by each handler in accordance with § 927.41, is fixed at $0.01 per standard western pear box of pears, or an equivalent quantity of pears in other containers or in bulk.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) shipments of fresh pears are now being made; (2) the relevant provisions of said marketing agreement and this part require that the rate of assessment herein fixed shall be applicable to all assessable pears handled during the aforesaid period; and (3) such period began on July 1, 1971, and the rate of assessment will automatically apply to all such pears beginning with such date.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: October 15, 1971.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[FR Doc.71–15324 Filed 10–20–71;8:49 am]

PART 932—OLIVES GROWN IN CALIFORNIA

Order Amending Order, as Amended, Regulating Handling of Olives Grown in California

§ 932.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations made in connection with the issuance of the order and of the previously issued amendment thereto; and all of said previous findings and determinations are hereby ratified and affirmed except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674), and the applicable rules of practice and procedure effective thereunder (7 CFR Part 900), a public hearing was held at Fresno, Calif., on March 3, 1971, upon proposed amendments to the marketing agreement, as amended, and Order No. 932, as amended (7 CFR Part 932), regulating the handling of olives grown in the State of California. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The said order, as amended and as hereby further amended, regulates the handling of olives grown in the designated production area in the same manner as, and is applicable only to persons in the respective classes of commercial or industrial activity specified in the marketing agreement and order upon which the hearing has been held;

(3) The said order, as amended and as hereby further amended, is limited in its application to the smallest regional production area that is practicable consistently with carrying out the declared policy of the act; and the issuance of several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the act;

(4) There are no differences in the production and marketing of olives grown in the production area which make necessary different terms and provisions applicable to different parts of such area; and

(5) All handling of olives grown in the production area is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

(b) *Additional findings.* It is hereby found, on the basis hereafter indicated, that good cause exists for making the provisions of this amendatory order effective upon publication in the FEDERAL REGISTER. The provisions of this amendment would authorize several actions, some of a seasonal nature, which should be applicable to program operations during the 1971–72 crop year. Such crop year began on September 1, 1971, and the amendment needs to become effective at the earliest practicable date in order to apply to the 1971 crop of olives and be of maximum benefits to producers. Prior to the application of the provisions of this amendment to the handling of olives during the current crop year, it will be necessary for the Olive Administrative Committee, the agency charged with the administration of the program, and the Secretary to initiate and complete various actions, including the promulgation of applicable rules and regulations thereunder. In order to provide the maximum reasonable time during the current crop year for preparation for operation in accordance with such rules and regulations, the effective date of this amendment should not be postponed beyond the date of publication in the FEDERAL REGISTER, thereby allowing for prompt initiation of the aforesaid actions.

Certain provisions of the amendment will automatically afford handlers greater flexibility in the handling of olives and such provisions should be made effective as soon as practicable.

The provisions of this amendment are well known to producers and handlers. The hearing was held at Fresno, Calif., on March 3, 1971. The recommended decision and the final decision were published in the FEDERAL REGISTER on July 27, 1971 (36 F.R. 13839 and September 9, 1971) (36 F.R. 18085), respectively. Copies of the text of this amendment to the order have been made available to all known producers and handlers and compliance with the provisions of the amendment will not require of persons subject thereto any advance preparation which cannot be completed by the effective time thereof.

(c) *Determinations.* It is hereby determined that:

(1) The "Marketing Agreement, as Amended, Regulating the Handling of Olives Grown in California," upon which the aforesaid public hearing was held, has been executed by handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping the olives covered by this order) who, during the period September 1, 1970, through July 31, 1971, handled not less than 50 percent of the volume of olives covered by the said order as hereby amended; and

(2) The issuance of this order, amending the aforesaid amended order, is favored or approved by at least two-thirds of the producers who participated in a referendum on the question of its approval and who, during the determined representative period (September 1, 1970, through July 31, 1971), were engaged, within the production area specified in the aforesaid amended order, in the production of olives for market as packaged olives; such producers having also produced for market at least two-thirds of the volume of olives represented in such referendum.

It is, therefore, ordered, That, on and after the effective date hereof, all handling of olives grown in the production area shall be in conformity to, and in compliance with, the terms and conditions of the said order, as amended and as hereby further amended, as follows:

1. Section 932.16 is redefined to read as follows:

§ 932.16 Handle.

"Handle" means to: (a) Size-grade olives, (b) process olives, or (c) use processed olives in the production of packaged olives, within the production area, or (d) ship packaged olives from the area to any point outside thereof or within the area: *Provided,* This term shall not include natural condition olives acquired and (1) used for olive oil, salt cured oil coated olives (also variously referred to as "Greek Olives," "Greek Style Olives," or "Oil Cured Olives"), or Silician Style Olives, or (2) shipped to fresh market outlets.

2. A new § 932.22 is added to read as follows:

§ 932.22 Sublot.

"Sublot" means a quantity of olives resulting from the separation by the handler of a lot into two or more parts.

3. A new § 932.23 is added to read as follows:

§ 932.23 Undersize olives and limited use size olives.

"Undersize olives" means olives of a size which, pursuant to § 932.51(a)(2), shall be disposed of in noncanning use; and "limited use size olives" means processed olives of any size which, pursuant to § 932.52(a)(3), is authorized for limited use.

4. A new § 932.23a is added to read as follows:

§ 932.23a Limited use.

"Limited use" means the use of processed olives in the production of packaged olives of the halved, sliced, chopped, or minced styles, as defined in the then current U.S. Standards for Grades of Canned Ripe Olives (§§ 52.3751–52.3766 of this title), including modifications of the requirements for such styles pursuant to this part, and such additional styles (and the requirements applicable thereto) as may be specified pursuant to § 932.52(a)(7).

5. A new § 932.24 is added to read as follows:

§ 932.24 Noncanning use.

"Noncanning use" means the use of olives other than in the production of canned ripe olives, and is the authorized outlet for undersize olives and the limited use size olives which, pursuant to § 932.52(b), are not permitted for limited use in any crop year in which limited use is restricted to less than the available quantity of limited use size olives.

6. Section 932.45 is revised to read as follows:

§ 932.45 Production research, and marketing research and development projects.

(a) The Committee may, with the approval of the Secretary, establish or provide for the establishment of production research, and marketing research and development projects designed to assist, improve, or promote the marketing, distribution, and consumption or efficient production of California olives. Such projects may provide for any form of marketing promotion including paid advertising. The expenses of such research and projects shall be paid from funds collected pursuant to § 932.39 or from voluntary contributions. Voluntary contributions may be accepted by the committee only to pay the expenses of such projects: *Provided,* That the committee shall retain complete control over the use of such contributions which shall be free from any encumbrances.

(b) In recommending marketing research and development projects pursuant to this section, the committee shall give consideration to the following factors:

(1) The expected supply of olives in relation to market requirements;

(2) The supply situation among competing areas and commodities; and

(3) The need for marketing research with respect to any marketing development activity and the need for a coordinated effort with USDA's Plentiful Food Program.

(c) In recommending production research projects pursuant to this section, the committee shall give consideration to the extent and need for assistance to, and improvement of California olive production.

(d) If the committee should conclude that a program of production research, marketing research, or development should be undertaken or continued pursuant to this section in any crop year, it shall submit the following for the approval of the Secretary:

(1) Its recommendations as to funds to be obtained pursuant to § 932.39 or voluntary contributions;

(2) Its recommendations as to any production research or marketing research project; and

(3) Its recommendation as to promotion activity and paid advertising.

(e) The committee shall, as soon as practicable after the close of each crop year, prepare and mail an annual report to the Secretary and make a copy available for examination by producers, handlers, or other interested persons at the committee office.

7. Paragraphs (a)(2) and (b) of § 932.51 are revised to read as follows:

§ 932.51 Incoming regulations.

(a) * * *

(2) Each handler shall, under the supervision of any such inspection service, dispose of into noncanning use an aggregate quantity of olives, comparable in size and characteristics and equal to the quantities shown on the certification for each lot to be:

(i) Variety Group 1 olives, except the Ascolano, Barouni, and St. Agostino varieties, of a size which individually weigh less than 1/90 pound;

(ii) Variety Group 1 olives of the Ascolano, Barouni, and St. Agostino varieties of a size which individually weigh less than 1/110 pound;

(iii) Variety Group 2 olives, except the Obliza variety, of a size which individually weigh less than 1/180 pound;

(iv) Variety Group 2 olives of the Obliza variety of a size which individually weigh less than 1/140 pound;

(v) Such other sizes for the foregoing variety groups as are not authorized for limited use pursuant to § 932.52; and

(vi) Olives classified as culls.

(b) Whenever a handler receives a lot of natural condition olives, or makes a separation resulting in a sublot, solely for use in the production of green olives or canned ripe olives of the "tree-ripened" type, he may handle such lot or sublot without regard to the provisions of this section and § 932.52 only if (1) he notifies the committee upon receiving such a lot or making such a separation; (2) the identity of all such lots and sublots of olives is maintained by keeping them separate and apart from other olives he receives; (3) the packaged olives produced from such lots and sublots after processing are canned ripe olives of the "tree-ripened" type or

green olives; and (4) there are no outgoing regulations pursuant to § 932.52 then applicable to packaged olives that are canned ripe olives of the "tree-ripened" type or green olives.

8. Section 932.52 is revised to read as follows:

§ 932.52 Outgoing regulations.

(a) *Minimum standards for packaged olives.* No handler shall use processed olives in the production of packaged olives or ship such packaged olives unless they have first been inspected as required pursuant to § 932.53 and meet each of the following applicable requirements:

(1) Canned ripe olives, other than those of the "tree-ripened" type, shall grade at least U.S. Grade C, as such grade is defined in the then current U.S. Standards for Grades of Canned Ripe Olives (§§ 52.3751–52.3766 of this title), or as modified by the committee, with the approval of the Secretary, for purposes of this part.

(2) Canned whole ripe olives, other than those of the "tree-ripened" type, shall conform to the size designations of "single size" or of the blended sizes "Family," "King," or "Royal," as set forth in said U.S. Standards, and shall be of a size not smaller than the following applicable size requirements and tolerances: *Provided,* That the Secretary, on the basis of a recommendation by the committee or other available information, may change such tolerances:

(i) With respect to Variety Group 1 olives, except the Ascolano, Barouni, and St. Agostino varieties, the individual fruits shall each weigh not less than $\frac{1}{75}$ pound, except that (*a*) for olives of the mammoth size designation, not more than 25 percent, by count, of such olives may weigh less than $\frac{1}{75}$ pound each including not more than 10 percent, by count, of such olives that weigh less than $\frac{1}{82}$ pound each; and (*b*) for olives of any size designation except the mammoth size, not more than 5 percent, by count, of such olives may weigh less than $\frac{1}{75}$ pound each;

(ii) With respect to Variety Group 1 olives of the Ascolano, Barouni, and St. Agostino varieties, the individual fruits shall each weigh not less than $\frac{1}{88}$ pound except that (*a*) for olives of the extra large size designation, not more than 25 percent, by count, of such olives may weigh less than $\frac{1}{88}$ pound each including not more than 10 percent, by count, of such olives that weigh less than $\frac{1}{95}$ pound each; and (*b*) for olives of any size designation, except the large size, not more than 5 percent, by count, of such olives may weigh less than $\frac{1}{88}$ pound each;

(iii) With respect to Variety Group 2 olives, except the Obliza variety, the individual fruits shall each weigh not less than $\frac{1}{140}$ pound except that (*a*) for olives of the small, select or standard size designation, not more than 35 percent, by count, of such olives may weigh less than $\frac{1}{140}$ pound each including not more than 7 percent, by count, of such olives that weigh less than $\frac{1}{160}$ pound each; and (*b*) for olives of any size designations, except the small, select or standard size, not more than 5 percent, by count, of such olives may weigh less than $\frac{1}{140}$ pound each; and

(iv) With respect to Variety Group 2 olives of the Obliza variety, the individual fruits shall each weigh not less than $\frac{1}{121}$ pound except that (*a*) for olives of the medium size designation, not more than 35 percent, by count, of such olives may weigh less than $\frac{1}{121}$ pound each including not more than 7 percent, by count, of such olives that weigh less than $\frac{1}{135}$ pound each; and (*b*) for olives of any size designation, except the medium size, not more than 5 percent, by count, of such olives may weigh less than $\frac{1}{121}$ pound each.

(3) Subject to the provisions set forth in subparagraph (4)of this paragraph, processed olives to be used in the production of canned pitted ripe olives, other than those of the "tree-ripened" type, shall meet the same size requirements as prescribed pursuant to subparagraph (2) of this paragraph: *Provided,* That olives smaller than those so prescribed, as recommended annually by the committee and approved by the Secretary, may be authorized for limited use but any such limited use size olives so used shall be not smaller than the following applicable minimum size: *Provided further,* That each such minimum size may also include a size tolerance (specified as a percent) as recommended by the committee and approved by the Secretary:

(i) Variety Group 1 olives, except the Ascolano, Barouni, and St. Agostino varieties, of a size which individually weigh $\frac{1}{60}$ pound;

(ii) Variety Group 1 olives of the Ascolano, Barouni, or St. Agostino varieties, of a size which individually weigh $\frac{1}{140}$ pound;

(iii) Variety Group 2 olives, except the Obliza variety, of a size which individually weigh $\frac{1}{180}$ pound;

(iv) Variety Group 2 olives of the Obliza variety, of a size which individually weigh $\frac{1}{140}$ pound.

(4) The Secretary may, upon recommendation of the committee, restrict the total quantity of limited use size olives for limited use during any crop year. Such restricted quantity shall be apportioned among the handlers by applying a percentage, established annually by the Secretary upon recommendation by the committee, to each handler's total receipts of limited use size olives during such crop year.

(5) Canned ripe olives of the "tree-ripened" type and green olives shall meet such grade, size, and pack requirements as may be established by the Secretary based upon the recommendation of the committee or other available information.

(6) The size designations (mammoth, extra large, medium, etc.) used in this section mean the size designations described in paragraph (a)(1)(ii) of § 932.51.

(7) For the purposes of this part the committee may, with the approval of the Secretary, specify the styles of olives, including the requirements with respect thereto, for limited use.

(b) *Disposition requirements for limited use size olives.* (1) The requirements of this paragraph are in addition to and not in substitution of the requirements of § 932.51(a)(4).

(2) Each handler shall, under the supervision of the Processed Products Standardization and Inspection Branch, USDA, or the Federal or Federal-State Inspection Service, dispose of limited use size olives into limited use or into noncanning use: *Provided,* That whenever a handler's use of limited use size olives is restricted pursuant to § 932.52(a)(4), he shall dispose of into noncanning use that quantity of such limited use size olives which is in excess of the quantity permitted for limited use.

(3) Notwithstanding the provisions of subparagraph (2) of this paragraph, a handler may meet any deficit in his obligation to dispose of limited use size olives into noncanning use pursuant to this paragraph by disposing of, under supervision of the inspection service, an equivalent quantity of olives of a size larger than the limited use size and of a quality better than culls.

(4) Each handler shall hold at all times a quantity of olives eligible to meet the disposition requirements of this paragraph less any quantity previously disposed of as specified in subparagraphs (2) and (3) of this paragraph.

9. Section 932.54 is amended by changing the title to read "Transfers" and by adding a new sentence to read as follows:

§ 932.54 Transfers.

* * * Transfers of olives from within the area to any point outside the area shall be subject to such requirements with respect to inspection, holding, disposition, and reporting as may be established by the Secretary on the basis of recommendations by the committee or other available information.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: October 15, 1971, to become effective upon publication in the FEDERAL REGISTER (10–21–71).

RICHARD E. LYNG,
Assistant Secretary.

[FR Doc.71-15371 Filed 10-20-71;8:53 am]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 72—TEXAS (SPLENETIC) FEVER IN CATTLE

Permitted Dips

Pursuant to the provisions of the Act of March 3, 1905, as amended, the Act of February 2, 1903, as amended, and the Act of May 29, 1884, as amended (21 U.S.C. 111–113, 115, 117, 120, 121,

123–126), §§ 72.6 and 72.7 of Part 72, Title 9, Code of Federal Regulations, are hereby amended in the following respects:

1. Section 72.6 is amended to read:

§ 72.6 Interstate movement of cattle from quarantined areas not eradicating ticks.

Cattle of any quarantined area where tick eradication is not being conducted,[1] which, with an interval of 7 to 12 days between dippings immediately preceding shipment, have been properly dipped twice in a permitted dip as provided in § 72.13, at a public stockyard or designated dipping station approved under § 72.16 that is located within the State of origin of the shipment, or which have been otherwise treated under the supervision of a Division inspector in a manner approved in specific cases by the Director of the Division at such public stockyard or designated dipping station, and which just prior to final dipping are inspected by a Division inspector and found to be apparently free from ticks, may, so far as the regulations in this Part are concerned, upon certification by the inspector, be shipped or transported interstate for any purpose upon compliance with the requirements set forth in §§ 72.9–72.15.

2. Section 72.7 is amended to read:

§ 72.7 Interstate movement of cattle from cooperating States.

Cattle in areas where tick eradication is being conducted in cooperation with State authorities,[1] which on inspection by a Division inspector are found to be apparently free from ticks, may, after one dipping, in a permitted dip as provided in § 72.13, under the supervision of a Division inspector and certification by the inspector, be shipped or transported interstate for any purpose upon compliance with the requirements set forth in §§ 72.9–72.15.

(Secs. 4–7, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791 and 792, as amended; secs. 1–4, 33 Stat. 1264 and 1265, as amended; 21 U.S.C. 111–113, 115, 117, 120, 121, 123–126; 29 F.R. 16210, as amended)

Effective date. The foregoing amendments shall become effective upon publication in the FEDERAL REGISTER (10–21–71).

The purpose of the foregoing amendments is to bring the provisions of §§ 72.6 and 72.7 relating to dipping of cattle for interstate shipment into conformity with the provisions of § 72.13 and thereby allow the use of approved proprietory brands of coumaphos (Co-Ral®) as well as approved proprietory brands of arsenical solutions of Dioxathion (Delnav®) for such dipping. The amendments relieve requirements for interstate shipment of cattle and make no substantive change in approved tick eradication procedures, and should be made effective promptly in order to be of maximum benefit to the persons affected by the requirements being relieved. Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable and unnecessary, and they may be made effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 18th day of October 1971.

F. J. MULHERN,
Acting Administrator,
Agricultural Research Service.

[FR Doc. 71-15372 Filed 10-20-71;8:53 am]

[1] Information as to the identity of such areas may be obtained from the Director of the Animal Health Division, Agricultural Research Service, U.S. Department of Agriculture, Washington, D.C. 20250.

[Docket No. 71-594]

PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

Areas Quarantined

Pursuant to the provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111–113, 114g, 115, 117, 120, 121, 123–126, 134b, 134f), Part 76, Title 9, Code of Federal Regulations, restricting the interstate movement of swine and certain products because of hog cholera and other communicable swine diseases, is hereby amended in the following respects:

In § 76.2, paragraph (e) is reissued, and paragraphs (f) and (g) are amended to read as follows:

§ 76.2 Notice relating to existence of hog cholera, prohibition of movement of any hog cholera virus, exceptions; spread of disease through raw garbage; regulations; quarantines; eradication States; and free States.

* * * * *

(e) Notice of quarantine: Notice is hereby given that because of the existence of hog cholera in the State of Texas and the Commonwealth of Puerto Rico, and the nature and extent of outbreaks of this disease, the following areas are quarantined because of said disease:

(1) *Texas.* (i) That portion of *Lubbock County* bounded by a line beginning at the junction of U.S. Highway 87 and the Lubbock-Hale County line; thence, following the Lubbock-Hale County line in an easterly direction to the junction of the Hale-Floyd-Lubbock-Crosby County lines; thence, following the Lubbock-Crosby County line in a southerly direction to the North Fork Double Mountain Fork of the Brazos River; thence, following the north bank of the North Fork Double Mountain Fork of the Brazos River in a northwesterly direction to the Buffalo Springs Lake; thence, following the north bank of the Buffalo Springs Lake in a generally southwesterly direction to Yellow House Draw; thence, following the north bank of the Yellow House Draw in a northwesterly direction to Blackwater Draw; thence, following the east bank of the Blackwater Draw in a northwesterly direction to U.S. Highway 87; thence, following U.S. Highway 87 in a northerly direction to its junction with the Lubbock-Hale County line.

(ii) That portion of *Tom Green County* bounded by a line beginning at the junction of U.S. Highway 67 and State Highway 306; thence, following State Highway 306 in a southeasterly then northwesterly direction to U.S. Highway 277/67; thence, following U.S. Highway 277/67 in a northeasterly direction to U.S. Highway 277; thence, following U.S. Highway 277 in a northerly direction to Farm-to-Market Road 2105; thence, following Farm-to-Market Road 2105 in a westerly direction to U.S. Highway 87; thence, following U.S. Highway 87 in a northwesterly direction to Farm-to-Market Road 2288; thence, following Farm-to-Market Road 2288 in a generally southeasterly direction to U.S. Highway 67; thence, following U.S. Highway 67 in a northeasterly direction to its junction with State Highway 306.

(2) *The Commonwealth of Puerto Rico.* The entire Commonwealth.

(f) Notice is hereby given that there is no clinical evidence that the virus of hog cholera exists in swine in the following States, that systematic procedures are in effect to detect and eradicate the disease should it appear within any of such States, and that such States are designated as hog cholera eradication States:

Alabama.	Nebraska.
Arkansas.	New Hampshire.
Connecticut.	New Jersey.
Florida.	New Mexico.
Hawaii.	New York.
Illinois.	North Carolina.
Louisiana.	Ohio.
Maryland.	Oklahoma.
Massachusetts.	Rhode Island.
Michigan.	South Carolina.
Minnesota.	Tennessee.
Mississippi.	Virginia.
Missouri.	

(g) Notice is hereby given that a period of more than 1 year has passed since there has been clinical evidence that the virus of hog cholera exists in the following States, that more than 1 year has passed since systematic procedures were placed in effect to exclude the virus of hog cholera and to detect and eradicate the disease should it appear within any of such States, and that the virus of hog cholera has been eradicated from such States and such States are designated as hog cholera free States:

Alaska.	Nevada.
Arizona.	North Dakota.
California.	Oregon.
Delaware.	Pennsylvania.
Georgia.	South Dakota.
Idaho.	Utah.
Iowa.	Vermont.
Kansas.	Washington.
Kentucky.	West Virginia.
Maine.	Wisconsin.
Montana.	Wyoming.

(Secs. 4–7, 23 Stat. 32, as amended, secs. 1 and 2, 32 Stat. 791–792, as amended, secs. 1–4, 33 Stat. 1264, 1265, as amended, sec.

1, 75 Stat. 481, secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111, 112, 113, 114g, 115, 117, 120, 121, 123–126, 134b, 134f; 29 F.R. 16210, as amended)

Effective date. The foregoing amendments shall become effective upon issuance.

No changes are made in § 76.2(e), but all presently effective provisions of § 76.2 (e) are set forth above for convenient reference.

The amendments delete the States of Kansas and Pennsylvania from the list of hog cholera eradication States in § 76.2 (f), and the special provisions pertaining to the interstate movement of swine and swine products from or to such eradication States are no longer applicable to Kansas and Pennsylvania.

The amendments add Massachusetts and North Carolina to the list of hog cholera eradication States in § 76.2(f), and the special provisions pertaining to the interstate movement of swine and swine products from or to such eradication States are applicable to Massachusetts and North Carolina. The amendments also add Kansas and Pennsylvania to the list of hog cholera free States in § 76.2(g), and the special provisions pertaining to the interstate movement of swine and swine products from or to such free States are applicable to Kansas and Pennsylvania.

Insofar as the amendments impose certain further restrictions necessary to prevent the interstate spread of hog cholera, they must be made effective immediately to accomplish their purpose in the public interest. Insofar as they relieve restrictions, they should be made effective promptly in order to be of maximum benefit to affected persons. It does not appear that public participation in this rule making proceeding would make additional relevant information available to this Department.

Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 18th day of October 1971.

F. J. MULHERN,
Acting Administrator,
Agricultural Research Service.

[FR Doc.71–15373 Filed 10–20–71;8:53 am]

[Docket No. 71–595]

PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

Areas Quarantined

Pursuant to the provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111–113, 114g, 115, 117, 120, 121, 123–126, 134b, 134f), Part 76, Title 9, Code of Federal Regulations, restricting the interstate movement of swine and certain products because of hog cholera and other communicable swine diseases, is hereby amended in the following respects:

In § 76.2, the reference to the State of Maryland in paragraph (f) is deleted, and paragraph (g) is amended by adding thereto the name of the States of Colorado and Maryland.

(Secs. 4–7, 23 Stat. 32, as amended, secs. 1 and 2, 32 Stat. 791–792, as amended, secs. 1–4, 33 Stat. 1264, 1265, as amended, sec. 1, 75 Stat. 481, secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111, 112, 113, 114g, 115, 117, 120, 121, 123–126, 134b, 134f; 29 F.R. 16210, as amended)

Effective date. The foregoing amendment shall become effective upon issuance.

The amendment deletes Maryland from the list of hog cholera eradication States in § 76.2(f), and the special provisions pertaining to the interstate movement of swine and swine products from or to such eradication States are no longer applicable to Maryland.

The amendment also adds Colorado and Maryland to the list of hog cholera free States in § 76.2(g), and the special provisions pertaining to the interstate movement of swine and swine products from or to such free States are applicable to Colorado and Maryland.

Insofar as the amendment imposes certain further restrictions necessary to prevent the interstate spread of hog cholera, it must be made effective immediately to accomplish its purpose in the public interest. Insofar as it relieves restrictions, it should be made effective promptly in order to be of maximum benefit to affected persons. It does not appear that public participation in this rule making proceeding would make additional relevant information available to this Department.

Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 18th day of October 1971.

F. J. MULHERN,
Acting Administrator,
Agricultural Research Service.

[FR Doc.71–15374 Filed 10–20–71;8:53 am]

[Docket No. 71–596]

PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

Areas Quarantined

Pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111–113, 114g, 115, 117, 120, 121, 123–126, 134b, 134f), Part 76, Title 9, Code of Federal Regulations, restricting the interstate movement of swine and certain products because of hog cholera and other communicable swine diseases, is hereby amended in the following respects:

1. In § 76.2, the introductory portion of paragraph (e) is amended by adding thereto the name of the State of Pennsylvania; paragraph (g) is amended by deleting the name of the State of Pennsylvania; and a new subparagraph (e) (3) relating to Pennsylvania is added to read:

§ 76.2 Notice relating to existence of hog cholera, prohibition of movement of any hog cholera virus, exceptions; spread of disease through raw garbage; regulations quarantines; eradication States; and free States.

* * * * *

(e) * * *

(3) *Pennsylvania.* That portion of Blair County comprised of Huston Township.

2. In § 76.2, in subparagraph (e) (1) relating to the State of Texas, subdivision (i) relating to Lubbock County is deleted.

(Secs. 4–7, 23 Stat. 32, as amended, secs. 1 and 2, 32 Stat. 791–792, as amended, secs. 1–4, 33 Stat. 1264, 1265, as amended, sec. 1, 75 Stat. 481, secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111, 112, 113, 114g, 115, 117, 120, 121, 123–126, 134b, 134f; 29 F.R. 16210, as amended)

Effective date. The foregoing amendments shall become effective upon issuance.

The amendments quarantine a portion of Blair County, Pa., because of the existence of hog cholera. This action is deemed necessary to prevent further spread of the disease. The restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will apply to the quarantined portion of such county.

The amendments exclude a portion of Lubbock County, Tex., from the areas quarantined because of hog cholera. Therefore, the restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 78, as amended, will not apply to the excluded area, but will continue to apply to the quarantined areas described in § 76.2(e). Further, the restrictions pertaining to the interstate movement of swine and swine products from nonquarantined areas contained in said Part 76 will apply to the area excluded from quarantine. No areas in Lubbock County, Tex., remain under the quarantine.

The amendments delete Pennsylvania from the list of hog cholera free States in § 76.2(g), and the special provisions pertaining to the interstate movement of

swine and swine products from or to such free States are no longer applicable to Pennsylvania.

Insofar as the amendments impose certain further restrictions necessary to prevent the interstate spread of hog cholera, they must be made effective immediately to accomplish their purpose in the public interest. Insofar as they relieve restrictions, they should be made effective promptly in order to be of maximum benefit to affected persons. It does not appear that public participation in this rule making proceeding would make additional relevant information available to this Department.

Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 18th day of October 1971.

F. J. MULHERN,
Acting Administrator,
Agricultural Research Service.

[FR Doc.71-15375 Filed 10-20-71;8:53 am]

Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER D—FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

[71-1048]

PART 561—DEFINITIONS

Definition of Scheduled Items

OCTOBER 7, 1971.

Resolved that the Federal Home Loan Bank Board considers it advisable to amend § 561.15 of the Rules and Regulations for Insurance of Accounts (12 CFR 561.15) for the purpose of requiring insured institutions to include as "scheduled items" under paragraph (d) of such section only 20 percent of the unpaid principal balance of loans or contracts on which all contractually required payments of principal and interest have been made for 36 months. Accordingly, on the basis of such consideration and for such purpose, the Federal Home Loan Bank Board hereby amends § 561.15 by revising paragraph (d) thereof to read as follows, effective October 21, 1971:

§ 561.15 Scheduled items.

The term "scheduled items" means:

* * * * *

(d) Loans secured by, and contracts for the sale of, real estate described in paragraph (c) of this section and real estate previously owned or held by an insured institution for development or investment purposes (other than insured loans, guaranteed loans, or contracts or loans having the benefit of a guaranty by the Federal Savings and Loan Insurance Corporation) during the period that such loans or contracts—

(1) Have remaining periods to the expiration of their terms in excess of the maximum terms permitted under otherwise applicable lending limitations, or, in the absence of otherwise applicable lending limitations, in excess of 30 years; or

(2) Have unpaid principal balances in excess of the maximum amounts permitted under otherwise applicable lending limitations, or, in the absence of otherwise applicable lending limitations, in excess of 90 percent of the value of the real estate securing such loans or sold under such contracts; except that only 20 percent of the unpaid principal balance of any such loan or contract will be included in "scheduled items" if all of the following requirements are met:

(i) The real estate securing the loan or sold under the contract is residential real estate (as defined in § 563.9-1(d)(2) of this subchapter);

(ii) The loan or contract requires equal, or substantially equal, regular monthly payments which include both principal and interest, sufficient to amortize the entire debt, principal and interest, within the term of the loan or contract; and

(iii) All contractually required payments have been made for a continuous period of 36 months without a delay of more than 30 days in the making of any one of the last 12 of such payments.

* * * * *

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-48 Comp., p. 1071)

Resolved further that, since the above amendment relieves restriction, the Board hereby finds that notice and public procedure with respect to said amendment are unnecessary under the provisions of 12 CFR 508.11 and 5 U.S.C. 553(b); and, for the same reason, publication of said amendment for the period specified in 12 CFR 508.14 and 5 U.S.C. 553(d) prior to the effective date thereof is also unnecessary; and the Board hereby provides that said amendment shall become effective as hereinbefore set forth.

By the Federal Home Loan Bank Board.

[SEAL] EUGENE M. HERRIN,
Assistant Secretary.

[FR Doc.71-15345 Filed 10-20-71;8:50 am]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter III—Economic Development Administration, Department of Commerce

PART 301—ESTABLISHMENT AND ORGANIZATION

Part 301, Subpart E of Chapter III, Title 13, of the Code of Federal Regulations (31 F.R. 11292 and 31 F.R. 16673) is amended to provide for minority representation and employment requirements for development district organizations, county and multicounty planning organizations, and OEDP committees. A new § 301.64 is added to Subpart E as follows:

§ 301.64 Minority representation and employment on its public planning organizations.

(a) *Purpose.* This section describes EDA regulations for the participation of minority persons in development district organizations, county and multicounty planning organizations, and Overall Economic Development Program Committees. The section establishes minimum minority representation requirements and implementation procedures for the selection and approval of minority representitives. This section also establishes affirmative action program requirements for the employment of minority persons on the staffs of such organizations.

(b) *Policy.* (1) EDA believes that the success of economic development programs undertaken by county, multicounty, and district organizations and committees depends upon the active participation and support of all segments of the community, including the disadvantaged groups the programs are designed to benefit.[1] In many communities, however, the poor, unemployed, and underemployed are minority groups who have been given little opportunity to take part in the decision-making processes of organizations whose economic development activities affect them.

(2) EDA has therefore determined to place special emphasis on the importance of obtaining the fullest possible involvement and participation of minority groups in the planning and development process assisted by EDA.

(3) Accordingly, in order to implement the provisions of title VI which require that no persons shall on the ground of race, color, or national origin be excluded from participation in federally assisted programs, EDA has established requirements for minority representation that must be met by all planning and development organizations. In order to insure the highest possible quality of representation, EDA requires that minority groups be provided the opportunity to select their own representatives.

(4) In addition, as part of its commitment to equal opportunity in employment, EDA requires that all planning and development organizations must make affirmative action commitments in the employment of minority group members on the professional and support staffs.

(c) *Definitions.* For the purpose of this section, the following terms used herein are defined as follows:

(1) The term "minority" refers to Negroes, Orientals, American Indians, Eskimos, Aleuts, and Spanish-surnamed Americans.

(2) The term "Board of Directors" refers to any governing body of the Development District or the county or multicounty planning organization.

[1] See 13 CFR § 303.30.

(3) The term "Executive Committee" refers to the group of individuals on the Board of Directors which is delegated authority to act in behalf of the Board of Directors.

(4) The term "planning and development organizations" refers to development district organizations, county and multicounty planning organizations, and/or OEDP Committees.

(d) *Minority representation requirements.*[1] The standards established below are the minimum representation requirements which shall be met by all planning and development organizations. Where State laws or regulations preclude the degree of minority representation required by this section, EDA will consult with individual organizations and determine the means to effect meaningful involvement of minorities.

(1) *Determination of minority representation.* (i) *Boards of Directors and OEDP Committees.* The percentage of the minority representation within the total membership of a Board of Directors or an OEDP Committee shall equal or exceed the percentage of the minority population within the entire area served by the organization with the following exceptions:

(*a*) Where the minority population equals or exceeds 5 percent but, because of the size of the Board of OEDP Committee, is not sufficiently large to establish representation in accordance with the above paragraph of this section, there shall be at least one minority representative.

(*b*) Where the minority population exceeds 25 percent of the total population, the minority representation is not required to be greater than one-fourth.

(ii) *Executive Committees.* The membership of the Executive Committee shall reflect the ratio of the minority representation on the Board of Directors. In all cases where there is minority representation on the Board by virtue of the requirements of paragraph (d) (1) (i) of this section, there shall be at least one minority representative on the Executive Committee.

(2) *Selection of minority representatives.* All planning and development organizations are required to provide minorities with the opportunity to select their own representatives.

(e) *Implementation procedures*[2]—(1) *District organizations and county and multicounty organizations*—(i) *New organizations.* (*a*) The following guidelines are established as a model procedure to assure that, after the effective date of this section, new planning and development organizations seeking final EDA approval of an application for initial funding or a request for district designation shall provide minorities the opportunity to select their own representatives. A new organization may develop an alternate procedure if it believes that such procedure will better achieve the minority representation requirements than the model. Such an alternate procedure must be approved by the Director, Office of Equal Opportunity, in coordination with the Regional Director, after an initial review by the Equal Opportunity Specialist.

(*1*) The organization shall prepare a written inventory of all political, civic, religious, professional, social, and fraternal organizations and groups substantially representative of the minority groups in the areas. Such inventory shall include the following information:

(*i*) The names and mailing addresses of the local organizations.

(*ii*) Descriptions of their activities (if not self-evident from the organizations' names).

(*iii*) Minority group(s) represented by the organization.

(*iv*) Approximate numerical membership for each organization.

(*2*) The organization shall notify in writing the minority organizations and groups listed in the inventory of the efforts being undertaken to organize a planning and development organization, and of EDA's minority representation requirements. It shall also request representatives of the minority organizations and groups to assemble at a designated time and place for the purpose of selecting the minority representatives who will participate in the formation and activities of the organization and become members of the Board of Directors. The role of the organization at such a meeting should be limited to coordinating the meeting and assisting the minority organizations and groups in selecting their representatives.

(*b*) In all cases, whether the new planning and development organization follows the model procedure established in (*a*) of this subdivision or develops an approved alternate procedure, the following minimum information shall be required as part of the application for initial funding, or where funds are not requested, as part of the District OEDP:

(*1*) A listing of all political, civic, religious, fraternal, professional, and social organizations substantially representative of minority groups in the area served.

(*2*) The names of the organizations listed in subdivision (i) (*b*) (*1*) of this subparagraph which were actually given the opportunity to participate in the selection of minority representatives. If any of the organizations were not given such an opportunity, an explanation should be given.

(*3*) A description of the method or methods by which minority groups were notified.

(*4*) A description of the method or procedures through which minority representation was achieved.

(*5*) The names of the minority persons selected by the minority organizations and groups to serve as minority representatives.

(*c*) The Regional Chief, Planning Division, shall review the information submitted pursuant to subdivision (i) (*b*) of this subparagraph and shall certify whether the new planning and development organization has complied with the requirements of paragraph (d) of this section. Such certification shall be made part of the application file.

(ii) *Existing organizations.* The following procedures have been established by EDA to assure that the requirements of paragraph (d) of this section are met. This may be accomplished through natural turnover in the membership or expansion of the board and revision of the bylaws. Each planning and development organization which, as of the effective date of this section, has already been funded by EDA or which represents an already designated district shall either certify that it has already met the requirements of paragraph (d) of this section by submitting an acceptable report as required in paragraph (e) (1) (ii) (*a*) of this section or shall implement the requirements in the manner set forth in subdivision (ii) (*b*) of this subparagraph.

(*a*) Within 6 months from the date it receives official EDA notice of the minority representation requirements, the organization shall submit a written report certifying that the requirements of paragraph (d) of this section have been met.

(*1*) This report shall include the following:

(*i*) The total population and the minority population of the area served by the organization.

(*ii*) A list of all the members of the Board and of the Executive Committee indicating the minority representatives.

(*iii*) A description of the methods through which this minority representation was established.

(*2*) This report shall be reviewed by the Equal Opportunity Specialist who shall make recommendations to the Director, Office of Equal Opportunity, and the Regional Director for approval.

(*b*) Within 6 months from the date it receives official EDA notice of the minority representation requirements, the organization shall develop a written plan describing the means through which EDA's minority representation requirements will be met. The plan should be based on the model procedure outlined in subdivision (ii) (*a*) (*1*) of this subparagraph or an alternate procedure which the organization deems appropriate.

(*1*) The plan shall include the following information:

(*i*) The total population and the minority population of the area served by the organization.

(*ii*) A listing of all political, civic, religious, fraternal, professional, and social organizations substantially representative of the minority groups in the area served.

(*iii*) Numerical goals for minority representation and projected size of the Board and Executive Committee.

(*iv*) A description of the method and steps by which the minority representation requirements will be achieved.

(*v*) A timetable scheduling the dates by which such steps will be taken.

(*vi*) Revisions of bylaws.

(*vii*) The efforts already undertaken to achieve minority representation.

(*2*) The plan shall be reviewed by the Equal Opportunity Specialist who shall

[2] All reports and plans required pursuant to this subsection shall be in sufficient detail as deemed appropriate by EDA to meet the purpose of paragraph (d) of this section.

make recommendations to the Director, Office of Equal Opportunity, and the Regional Director for approval.

(3) The plan shall be implemented by the organization as soon as practicable, but no later than 1 year from the date of approval. At that time the organization shall submit an implementation report outlining how the plan has been implemented, and describing the makeup of the Board Directors and the Executive Committee. This report shall be reviewed by the Equal Opportunity Specialist who shall make recommendations to the Regional Director and the Director, Office of Equal Opportunity, for approval.

(2) *Area OEDP Committees*—(i) *New OEDP Committees.* (*a*) Prior to the approval by EDA of an initial Overall Economic Development Program (OEDP), an area OEDP Committee must certify that it has met the minority representation requirements established in subsection (d) above. The committee should use the model procedure outlined in subparagraph (1) (i) of this paragraph or an alternative procedure which it has developed.

(*b*) The initial OEDP shall include a list of the members of the OEDP Committee with an indication of race and description of the methods through which the minority representation requirement was met.

(ii) *Existing OEDP Committees.* Each existing OEDP Committee shall be required to meet the minority representation requirements established in paragraph (d) of this section. The first annual OEDP report required by EDA 1 year after the effective date of this section shall include a list of the members of the OEDP Committee with an indication of race, and a description of the methods through which the minority representation requirement was met.

(3) *Reporting procedures.* (i) After EDA's requirements for minority representation have been met, each planning and development organization will be required to report annually to EDA its minority membership and/or the membership of all governing bodies and functional committees. Such reports shall include by name, county of residence, and racial or ethnic group (i.e., Caucasian, Negro, Spanish-American, Indian, Eskimo, Aleut, or Oriental), the composition of each body (e.g., Officers, Executive Board, Board of Directors, Health Education Committee, OEDP Committee, Advisory Board, etc.). For those organizations that annually submit a Profile, an updated version containing this information will meet this requirement. Each organization subject to the requirements of paragraph (f) of this section shall also include a report on the progress made under its affirmative action program.

(ii) In order to assist EDA in evaluating whether the minority membership is adequate, the report shall include on the basis of the most recent available data, the following statistics:

(*a*) The total population of the area served by the organization.

(*b*) The minority population of the area served by the organization.

(iii) The Planning Division of each Regional Office shall provide a copy of each report submitted by a planning and development organization to the Equal Opportunity Specialist within 7 days of the receipt of each report.

(iv) The Equal Opportunity Specialist shall review all reports and immediately notify the Regional Director and Director, Office of Equal Opportunity, when deficiencies in the requirement of subsection (d) are noted or when any other equal opportunity questions arise. He shall include in his monthly report to the Director, Office of Equal Opportunity, a list of all reports he has reviewed and his evaluation of the organizations' compliance with this section.

(f) *Affirmative action programs.* (1) Under the Department of Commerce title VI regulations, recipients of EDA financial assistance are required to take affirmative action to insure that job applicants are employed, and treated during employment, without regard to their race, color or national origin. As part of the implementation of this requirement, EDA requires that each district and county and multicounty planning organization shall submit a written affirmative action program describing its commitment to employ minorities on its professional and support staff. The affirmative action program shall include the following:

(i) *An analysis of minority staffing.* Each district, county, and multicounty planning organization should make an analysis of its staffing to determine whether minority group members are being underutilized in either professional or clerical job categories. In determining whether minority group members are being underutilized in any job category, the organization must consider at least all of the following factors:

(*a*) The total population and the minority population in the area served.

(*b*) The availability of promotable minority employees on the current staff.

(*c*) The anticipated expansion, contraction, and turnover in the staff.

(*d*) The existence of training institutions capable of training minority group members in the requisite skills.

(*e*) The degree of training which the organization is reasonably able to undertake as a means of making staff positions available to minority group members.

(ii) *Goals and timetables.* The organization must establish goals and, where appropriate, timetables for the employment of minorities on its professional and support staff. In the case of existing district and county and multicounty planning organizations, goals and timetables must be designed to correct minority underutilization. In establishing its timetables, existing organizations shall take into consideration such factors as natural turnover and attrition. Timetables should not be based on terminations of staff in order to establish minority representation. New organizations must establish goals on the basis of the five factors contained in subdivision (i) of this subparagraph. The minority members on the staff of each organization should in general reflect the ratio of minority representation required for the Board of Directors.

(iii) *Additional items to be included.* The affirmative action program shall also include the following:

(*a*) A statement of the organization's equal employment opportunity policy.

(*b*) A list of sources for minority recruitment.

(*c*) The name of the person designated by the organization as the director or manager of the affirmative action program. (The person designated should have the authority and responsibility for effectively implementing the program.)

(*d*) Evidence that the organization has validated job requirements to ensure that the requirements are reasonable and do not include experience factors which would automatically exclude otherwise qualified minority candidates.

(2) Submission of affirmative action program:

(i) Each new organization shall submit its affirmative action program with the application for funding, or in case funds are not requested, as part of the OEDP.

(ii) Each existing organization shall submit its affirmative action program with the report required by paragraph (e) (1) (ii) (*a*) of this section or with the implementation report required by paragraph (e) (1) (ii) (*b*) of this section.

(3) Determination of satisfactory affirmative action program:

(i) The Equal Opportunity Specialist shall:

(*a*) Evaluate each affirmative action program and, where necessary, negotiate with the planning and development organizations to correct any deficiencies. Where problems arise in such negotiations, the Equal Opportunity Specialist shall immediately advise, in writing, the Regional Director and Director, Office of Equal Opportunity, Washington, D.C.

(*b*) Prepare a written evaluation of each affirmative action program and forward his evaluation, together with a copy of the affirmative action program, through the Regional Director to the Director, Office of Equal Opportunity, Washington, D.C.

(ii) The Director, Office of Equal Opportunity, shall determine whether each affirmative action program is satisfactory. In those instances where the Director, Office of Equal Opportunity determines that the affirmative action program is unacceptable he shall, in coordination with the Regional Director, so inform the organization submitting the program and shall negotiate with the organization to correct any deficiencies.

(g) *Compliance review procedures.* In order to determine whether planning and development organizations are complying with the provisions of this section, EDA shall conduct periodic compliance reviews in accordance with the following procedures:

(1) *Responsibilities of the Area Equal Opportunity Specialist.* (i) The Equal Opportunity Specialist shall conduct

compliance reviews of organizations whenever:

(a) Requested by the Regional Director, or through the Regional Director by the Director, Office of Equal Opportunity or the Director, Office of Development Organizations.

(b) A complaint or an evaluation of an organization's initial or revised OEDP, second stage OEDP, or progress reports indicates possible compliance deficiencies.

(ii) The compliance review shall be conducted in accordance with the procedures set forth in EDA Directive 7.03 and shall include an evaluation of the following elements of the organization's compliance status.

(a) The performance of the organization in meeting its quantitative goals and timetables for minority participation.

(b) The performance of the organization in assuring that minority representatives actually participate in the business of the organization.

(c) The performance of the organization with regard to employment of minorities on its staff.

(iii) In evaluating these elements of compliance, the Equal Opportunity Specialist shall utilize standards set forth in the organization's initial OEDP, or latest affirmative action program, these standards having been approved by EDA during their formulation.

(2) *Compliance review reports.* Reports of compliance reviews shall be processed in accordance with EDA Directive 7.02 and shall be transmitted through the Regional Director to the Director, Office of Equal Opportunity. The Director, Office of Equal Opportunity, shall furnish one copy of each review of the Director of the Office of Development Organizations in addition to the distribution of copies required by EDA Directive 7.03.

(3) *Noncompliance procedures.* Where compliance reviews, or reviews of required reports indicate a failure to comply with this section, the Director, Office of Equal Opportunity, shall, in coordination with the Regional Director, notify the planning and development organizations, and the matter will be resolved by informal means whenever possible. If the Director, Office of Equal Opportunity, in coordination with the Regional Director, determines that the matter cannot be resolved by informal means, they shall, through the Deputy Assistant Secretary for Economic Development Planning, recommend to the Assistant Secretary that compliance be effected by the suspension or termination of Federal financial assistance or the refusal to grant or to continue Federal financial assistance, or by any other means authorized by laws. Any procedures taken to effect compliance must be consistent with the Department of Commerce Civil Rights regulations (15 CFR Part 8, Subpart B).

This section became effective June 1, 1971.

ROBERT A. PODESTA,
Assistant Secretary for Economic Development.

[FR Doc.71-15343 Filed 10-20-71;8:50 am]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airspace Docket No. 71-EA-107]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE AND REPORTING POINTS

Designation and Alteration of Control Zone and Transition Area

On page 14658 of the FEDERAL REGISTER for August 7, 1971, the Federal Aviation Administration published a proposed rule which would designate a Beckley, W. Va., control zone and alter the Beckley, W. Va., transition area (36 F.R. 2152).

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulation have been received.

In view of the foregoing, the proposed regulation is hereby adopted, effective 0901 G.m.t. December 9, 1971.

(Sec. 307(a), Federal Aviation Act of 1958, 72 Stat. 749; 49 U.S.C. 1348, sec. 6(c) Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Jamaica, N.Y., on October 6, 1971.

ROBERT H. STANTON,
Acting Director, Eastern Region.

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to designate a Beckley, W. Va., control zone as follows:

BECKLEY, W. VA.

Within a 6.5-mile radius of the center, 37°46'54" N., 81°07'27" W. of Raleigh County Memorial Airport, Beckley, W. Va., and within 3 miles each side of the Beckley VOR 284° radial extending from the 6.5-mile-radius zone to 8.5 miles west of the VOR.

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Beckley, W. Va., 700-foot floor transition area and insert the following in lieu thereof:

That airspace extending upward from 700 feet above the surface within a 10-mile radius of the center, 37°46'54" N., 81°07'27" W. of Raleigh County Memorial Airport, Beckley, W. Va.; within a 14-mile radius of the center of Raleigh County Memorial Airport, extending clockwise from the 025° bearing to the 215° bearing from the airport and within 4.5 miles north and 9.5 miles south of the Beckley VOR 284° radial, extending from the VOR to 18.5 miles west of the VOR.

[FR Doc.71-15312 Filed 10-20-71;8:48 am]

[Airspace Docket No. 71-EA-88]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE AND REPORTING POINTS

Alteration of Control Zones and Transition Area

On page 14657 of the FEDERAL REGISTER for August 7, 1971, as amended on page 15669 for August 17, 1971, the Federal Aviation Administration published a proposed rule which would alter the Fort Eustis, Va. (36 F.R. 2081) and Newport News, Va. (36 F.R. 2110) Control Zones and Norfolk, Va., Transition Area (36 F.R. 2243).

Interested parties were given 30 days after publication in which to submit written data or views. A comment was received from Eugene Marlin, representing the Peninsula Airport Commission, objecting to the imposition of an extension of the Fort Eustis Control Zone so as to derogate quality of IFR traffic destined for runway 6 at Patrick Henry Airport. However, IFR traffic at both Patrick Henry Airport and Felker Army Air Field are controlled by Norfolk Approach Control, and no confliction or other disruption is anticipated.

The original description is also being amended to add a note restricting the hours of operation of the Fort Eustis control zone to less than 24 hours. This is a less restrictive amendment, and notice and public procedure are unnecessary.

In view of the foregoing, the proposed regulations are hereby adopted, effective 0901 G.m.t. December 9, 1971, except as follows:

1. In paragraph 1. of the NPRM add the following language after the Fort Eustis, Va., description:

This control zone is effective from 0600 to 2300 hours, local time, daily.

(Sec. 307(a), of the Federal Aviation Act of 1958, 72 Stat. 749; 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Jamaica, N.Y., on October 6, 1971.

ROBERT H. STANTON,
Acting Director, Eastern Region.

1. Amend § 71.171 of Part 71, Federal Aviation Regulations, so as to delete the description of the Fort Eustis, Va., control zone and insert the following in lieu thereof:

Within a 5-mile radius of the center, 37°07'45" N., 76°36'45" W., of Felker AAF, Fort Eustis, Va., and within 3 miles each side of the 323° bearing from the Felker AAF RBN, extending from the 5-mile-radius zone to 8.5 miles northwest of the RBN, excluding the portion that coincides with the Newport News, Va., control zone. This control zone is effective from 0600 to 2300 hours, local time, daily.

2. Amend § 71.171 of Part 71, Federal Aviation Regulations, so as to delete the description of the Newport News, Va., control zone and insert the following in lieu thereof:

Within a 5-mile radius of the center, 37°07'51" N., 76°29'35" W., of Patrick Henry Airport, Newport News, Va., excluding the portion that coincides with the Hampton Roads, Va., control zone.

3. Amend § 71.181 of Part 71, Federal Aviation Regulations, so as to delete the description of the Norfolk, Va., 700-foot floor transition area and insert in lieu thereof:

That airspace extending upward from 700 feet above the surface bounded by a line beginning at 37°10'35" N., 76°17'35" W., to 36°49'45" N., 75°52'05" W., to 36°29'25" N.,

76°09'40" W., to 36°35'40" N., 76°18'40" W., to 36°54'00" N., 76°27'30" W., to 36°54'00" N., 76°36'15" W., to 37°11'30" N., 76°46'40" W., to 37°16'10" N., 76°39'25" W., to 37°11'50" N., 76°16'20" W., thence to the point of beginning; within 2 miles southeast and 5 miles northwest of the Langley AFB, Hampton, Va. (37°05'05" N., 76°21'25" W.) Runway 7 centerline extended 15 miles northeast of the end of Runway 7; within the arc of an 8.5-mile radius circle centered on Patrick Henry Airport, Newport News, Va. (37°07'51" N., 76°29'35" W.) extending clockwise from a 323° bearing to a 066° bearing from the center of the airport; within 3.5 miles each side of the Patrick Henry Airport ILS localizer southwest course, extending from the LOM to 11.5 miles southwest.

[FR Doc.71-15311 Filed 10-20-71;8:48 am]

[Airspace Docket No. 71-SO-83]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE AND REPORTING POINTS

Alteration of Control Zone and Transition Area

On August 11, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 14763) stating that the Federal Aviation Administration (FAA) was considering amendments to Part 71 of the Federal Aviation Regulations that would alter the Fort Lauderdale, Fla., control zone and Miami, Fla., transition area.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

Subsequent to the publication of the notice the geographical position for the Fort Lauderdale-Hollywood International; Miami International; Opa Locka; Tamiami; and Fort Lauderdale Executive airports have been recomputed. Accordingly, action has been taken herein to reflect the recomputed geographical positions.

Since these amendments are minor in nature and no substantive change in the regulations is effected, notice and public procedure thereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t. December 9, 1971, as hereinafter set forth.

1. In § 71.171 (36 F.R. 2055) "Fort Lauderdale, Fla." is amended to read:

FORT LAUDERDALE, FLA.

Within a 5-mile radius of Fort Lauderdale-Hollywood International Airport (lat. 26°04'26" N., long. 80°09'10" W.); within 3 miles each side of Fort Lauderdale VOR 084°, 276° and 306° radials, extending from the 5-mile radius zone to 8.5 miles east, west, and northwest of the VOR.

2. In § 71.181 (36 F.R. 2140, 2481 and 3262) "Miami, Fla." is amended to read:

MIAMI, FLA.

That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Miami International Airport (lat. 25°47'34" N., long. 80°17'10" W.); within 3 miles each side of Runway 9L ILS localizer west course, extending from the 8.5 radius area to 8.5 miles west of Portland RBN; within 3 miles each side of Miami VORTAC 139° radial, extending from the 8.5-mile radius area to the VORTAC; within 3 miles each side of Runway 27L ILS localizer east course, extending from the 8.5-mile radius area to 8.5 miles east of Orange RBN; within 4.5 miles each side of Runway 27L ILS localizer west course, extending from the 8.5-mile radius area to the Miami VORTAC 205° radial; within an 8.5-mile radius of Opa Locka Airport (lat. 25°54'26" N., long. 80° 16'48" W.), Homestead AFB (lat. 25°29'15" N., long. 80°23'00" W.), Tamiami Airport (lat. 25°38'51" N., long. 80°25'59" W.) and Fort Lauderdale-Hollywood International Airport (lat. 26°04'26" N., long. 80°09'10" W.); within a 6.5-mile radius of Fort Lauderdale Executive Airport (lat. 26°11'41" N., long. 80°10'15" W.).

(Sec. 307(a), 1110, Federal Aviation Act of 1958, 49 U.S.C. 1348(a), 1510); Executive Order 10854, 24 F.R. 9565; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655 (c))

Issued in Washington, D.C., on October 13, 1971.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.71-15310 Filed 10-20-71;8:48 am]

[Airspace Docket No. 71-SO-78]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE AND REPORTING POINTS

Alteration of Control Zone and Transition Area

On August 11, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 14762) stating that the Federal Aviation Administration was considering amendments to Part 71 of the Federal Aviation Regulations that would alter the Key West, Fla., control zone and transition area.

Interested persons were afforded an opportunity to participate in the proposed rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation regulations is amended, effective 0901 G.m.t., December 9, 1971, as hereinafter set forth.

1. In § 71.171 (36 F.R. 2055, 3262) "Key West, Fla." is amended to read:

KEY WEST, FLA.

Within a 5-mile radius of Key West International Airport (lat. 24°33'22" N., long. 81°45'35" W.); within 3 miles each side of the 268° bearing from Fish Hook RBN, extending from the 5-mile radius zone to 8.5 miles west of the RBN; within 3 miles each side of Key West VORTAC 309° radial, extending from the 5-mile radius zone to 8.5 miles northwest of the VORTAC; within a 5-mile radius of Key West NAS (Boca Chica) (lat. 24°34'30" N., long. 81°41'15" W.); within 3 miles each side of the 251° bearing from Key West NAS UHF RBN, extending from the 5-mile radius zone to 11.5 miles west of the RBN.

2. In § 71.181 (36 F.R. 2140) "Key West, Fla." is amended to read:

KEY WEST, FLA.

That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Key West International Airport (lat. 24°33'22" N., long. 81°45'35" W.); within 5 miles each side of Key West VORTAC 309° radial, extending from the 8.5-mile radius area to 8.5 miles northwest of the VORTAC; within an 8.5-mile radius of Key West NAS (Boca Chica) (lat. 24°34'30" N., long. 81° 41'15" W.).

(Sec. 307(a), 1110, Federal Aviation Act of 1958, 49 U.S.C. 1348(a), 1510; Executive Order 10854, 24 F.R. 9565; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on October 13, 1971.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.71-15309 Filed 10-20-71;8:47 am]

[Airspace Docket No. 71-EA-114]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE AND REPORTING POINTS

Alteration of Control Zone and Transition Area

On page 16591 of the FEDERAL REGISTER for August 24, 1971, the Federal Aviation Administration published a proposed rule which would alter the Morgantown, W. Va., control zone (36 F.R. 2107, 12697) and transition area (36 F.R. 2237).

Interested parties were given 30 days after publication in which to submit written data or views. An objection was received from William H. Friesell, representing Keystone Aeronautics Corp., indicating a possible delay to IFR approaches to Connellsville Airport because of the extension of the Morgantown control zone. However, no such delay is anticipated.

In view of the foregoing, the proposed regulations are hereby adopted, effective 0901 G.m.t., December 9, 1971.

(Sec. 307(a), Federal Aviation Act of 1958, 72 Stat. 749; 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655 (c))

Issued in Jamaica, N.Y., on October 6, 1971.

ROBERT H. STANTON,
Acting Director, Eastern Region.

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Morgantown, W. Va., control zone and insert the following in lieu thereof:

Within a 5.5-mile radius of the center, 39°38'34" N., 79°55'01" W., of Morgantown Municipal Airport, Morgantown, W. Va., extending clockwise from a 220° bearing to a 030° bearing from the airport; within a 7.5-mile radius of the center of the airport, extending clockwise from a 030° bearing to a 040° bearing from the airport; within a 14.5-mile radius of the center of the airport, extending clockwise from a 040° bearing to a 075° bearing from the airport; within a 10-mile radius of the center of the airport, extending clockwise from a 075° bearing to a 105° bearing from the airport; within a 9-mile radius of the center of the airport,

extending clockwise from a 105° bearing to a 140° bearing from the airport; within a 10-mile radius of the center of the airport, extending clockwise from a 140° bearing to a 202° bearing from the airport; within a 7.5-mile radius of the center of the airport, extending clockwise from a 202° bearing to a 220° bearing from the airport and within 2 miles each side of the 168° bearing from the Bobtown RBN, extending from the 5.5-mile-radius arc to the RBN.

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Morgantown, W. Va., 700-foot-floor transition area and insert the following in lieu thereof:

That airspace extending upward from 700 feet above the surface within an 11.5-mile radius of the center, 39°38'34" N., 79°55'01" W. of Morgantown Municipal Airport, Morgantown, W. Va., extending clockwise from a 205° bearing to a 030° bearing from the airport; within a 19-mile radius of the center of the airport, extending clockwise from a 030° bearing to a 055° bearing from the airport; within an 18-mile radius of the center of the airport, extending clockwise from a 055° bearing to a 065° bearing from the airport; within a 15-mile radius of the center of the airport, extending clockwise from a 065° bearing to a 095° bearing from the airport; within a 16.5-mile radius of the center of the airport, extending clockwise from a 095° bearing to a 157° bearing from the airport; within a 14-mile radius of the center of the airport, extending clockwise from a 157° bearing to a 205° bearing from the airport; within 5 miles each side of the Morgantown VORTAC 152° radial extending from the VORTAC to 9.5 miles southeast of the VORTAC and within 5 miles southwest and 7.5 miles northeast of the Morgantown VORTAC 334° radial, extending from the 11.5-mile-radius arc to 22 miles northwest of the VORTAC.

[FR Doc.71-15313 Filed 10-20-71;8:48 am]

[Airspace Docket No. 71-SO-68]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE AND REPORTING POINTS

Alteration of Control Zone

On August 13, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 15127) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Myrtle Beach AFB, S.C., control zone.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation regulations is amended, effective 0901 G.m.t., December 9, 1971, as hereinafter set forth.

In § 71.171 (36 F.R. 2055) "Myrtle Beach AFB, S.C." is amended to read:

MYRTLE BEACH AFB, S.C.

Within a 5-mile radius of Myrtle Beach AFB (Lat. 33°40'45" N., Long. 78°55'45" W.); within 1.5 miles each side on Conway TACAN 165° radial, extending from the 5-mile radius zone to 6.5 miles South of the TACAN; within 2.5 miles each side of the 167° bearing from Conway RBN, extending from the 5-mile radius zone to the RBN.

(Sec. 307(a), 1110, Federal Aviation Act of 1958, 49 U.S.C. 1348(a), 1510; Executive Order 10854, 24 F.R. 9565; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on October 13, 1971.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.71-15307 Filed 10-20-71;8:47 am]

[Airspace Docket No. 71-SW-31]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area; Correction

On September 18, 1971, F.R. Doc. No. 71-13772 was published in the FEDERAL REGISTER (36 F.R. 18639). This document amended Part 71 of the Federal Aviation Regulations by designating the Port Lavaca, Tex., transition area. Subsequent to publication of the document, it was discovered there had been an error made in conversion of the 242° magnetic radial, as utilized in the approach procedure, to the true radial which is used in the airspace description. The true radial was incorrectly shown as 233° rather than the correct radial of 250°. It was also determined that the magnetic variation at the Palacios, Tex., VORTAC site was 8° and should have been used rather than the 9° magnetic variation existing at the Calhoun County Airport site. Action is taken herein to correct this error.

Since this amendment imposes no undue burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, effective immediately, F.R. Doc. No. 71-13772 is amended by deleting "and within 2.5 miles each side of the Palacios VORTAC 233° radial" and substituting "and within 2.5 miles each side of the Palacios VORTAC 250° radial" therefor.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Fort Worth, Tex., on October 8, 1971.

R. V. REYNOLDS,
Acting Director, Southwest Region.

[FR Doc.71-15306 Filed 10-20-71;8:47 am]

[Airspace Docket No. 71-EA-116]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE AND REPORTING POINTS

Alteration of Transition Area

On page 16592 of the FEDERAL REGISTER for August 24, 1971, the Federal Aviation Administration published a proposed rule which would alter the Indiana, Pa., transition area (36 F.R. 2207).

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulation have been received.

In view of the foregoing, the proposed regulation is hereby adopted, effective 0901 G.m.t., December 9, 1971.

(Sec. 307(a), Federal Aviation Act of 1958, 72 Stat. 749; 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Jamaica, N.Y., on October 6, 1971.

ROBERT H. STANTON,
Acting Director, Eastern Region.

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Indiana, Pa., 700-foot-floor transition area and insert the following in lieu thereof:

That airspace extending upward 700 feet above the surface within a 7-mile radius of the center (40°38'00" N., 79°06'15" W.) of Indiana County-Jimmy Stewart Field, Indiana, Pa., and within 3.5 miles each side of the 091° bearing from the Indiana RBN (40°37'54" N., 79°03'51" W.) extending from the 7-mile-radius area to 9.5 miles east of the RBN.

[FR Doc.71-15314 Filed 10-20-71;8:48 am]

[Airspace Docket No. 71-SO-150]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE AND REPORTING POINTS

Alteration of Federal Airways and Reporting Point

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to make an editorial amendment in the description of VOR Federal airway Nos. 11, 67, and 178; and the Paducah, Ky., reporting point.

The name of the Paducah, Ky., VORTAC has been changed to Cunningham, Ky.

Accordingly, action is being taken herein to reflect this name change in the description of V-11, V-67 and V-178 airways, and the low altitude reporting point.

Since this amendment is editorial in nature and no change in the regulation is effected, notice and public procedure thereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective upon publication in the FEDERAL REGISTER, as hereinafter set forth.

1. In § 71.123 (36 F.R. 2010 and 18786) V-11, V-67, and V-178 are amended by deleting in the text "Paducah, Ky." and substituting "Cunningham, Ky." therefor.

2. In § 71.203 (36 F.R. 2301) "Paducah, Ky." is deleted and "Cunningham, Ky." is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 2348(a); and sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on October 13, 1971.

T. McCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.71-15315 Filed 10-20-71;8:48 am]

[Airspace Docket No. 71-RM-15]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE AND REPORTING POINTS

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Area; Correction

On September 10, 1971, F.R. Doc. No. 71-13289 was published in the FEDERAL REGISTER subdividing Restricted Area R-6404B, Hill AFB Range North, Utah, by redesignating it as two separate areas, and will become effective November 11, 1971. Subsequent to publication of the document, it was noted that the new area established was inadvertently omitted from the Continental Control Area. Accordingly, action is taken herein to include Restricted Area R-6404C, Hill AFB Range East, Utah, in the Continental Control Area.

Since this amendment is minor in nature and one in which the public is not particularly interested, notice and public procedure hereon are unnecessary and a good cause exists for making this amendment effective on less than 30 days notice.

In consideration of the foregoing, F.R. Doc. No. 71-13289 is amended, effective upon publication in the FEDERAL REGISTER, as follows:

In § 71.151 "R-6404C, Hill AFB Range East, Utah" is added.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348(a); sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on October 13, 1971.

T. McCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.71-15305 Filed 10-20-71;8:47 am]

[Airspace Docket No. 70-EA-73]

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

Designation of Area High Route; Correction

On September 17, 1971, F.R. Doc. No. 71-13615 was published in the FEDERAL REGISTER (36 F.R. 18575) which amends Part 75 of the Federal Aviation Regulations, effective 0901 G.m.t., November 11, 1971, by adding area high route J810R between O'Hare Airport at Chicago, Ill., and La Guardia Airport at New York City. Due to subsequent changes in terminal area handling procedures the last waypoint on J810R would be more compatible with the changes if moved several miles westward along the route. Therefore, action is taken herein to delete the Broadway, N.J., waypoint and to move the last waypoint westward to Pennwell, N.J.

Since this amendment is minor in nature and no substantive change in the regulation is effected, notice and public procedure thereon are unnecessary, and good cause exists for making this amendment effective on less than 30 days notice.

In consideration of the foregoing, effective upon publication in the FEDERAL REGISTER, F.R. Doc. 71-13615 (36 F.R. 18575) is amended as hereinafter set forth.

In J810R (O'Hare Airport at Chicago, Ill., to La Guardia Airport at New York City), the last waypoint "Broadway, N.J.," and latitude/longitude "40 46 11/74 51 03" are deleted and "Pennwell, N.J.," and "40 48 06/74 55 59" are substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348(a); sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on October 13, 1971.

T. McCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.71-15308 Filed 10-20-71;8:47 am]

Chapter II—Civil Aeronautics Board

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-704, Amdt. 3]

PART 207—CHARTER TRIPS AND SPECIAL SERVICES

Expansion of the "Area of Operations" of Airlift International, Inc. for Cargo Charters

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 15th day of October 1971.

In notice of proposed rule making EDR-206,[1] the Board proposed to amend Part 207 of the Economic Regulations (14 CFR Part 207) to expand the "area of operations" of Airlift International, Inc. (Airlift) to include cargo charter authority to the islands of the Caribbean. Comments were filed by the following: Airlift, Eastern Air Lines, Inc. (Eastern), Pan American World Airways, Inc. (Pan American), Tramp Airgo International, Inc. (Tramp Airgo) [2] and by National Air Carrier Association (NACA) representing certain member carriers.[3]

Upon consideration of all comments presented, the Board has determined, for the reasons hereinafter set forth and those announced in EDR-206, to adopt the rule as proposed. Except as modified herein, the tentative findings set forth in the explanatory statement of EDR-206 are incorporated by reference and made final.

Airlift filed a petition for rule making to amend Part 207 in a number of respects, including extension of its geographical "area of operations" for cargo charter authority to Alaska, Hawaii, Central America, South America, and the Caribbean. The Board granted Airlift's petition in only one respect, namely, to amend Part 207 so as to expand its "area of operations" to include the islands of the Caribbean, and instituted the subject rule making proceeding to effect this amendment. Airlift, in its comments on EDR-206, reiterates the requests in its petition for an expansion of its "area of operations" to embrace Central and South America as well as the Caribbean. No new matters have been presented which convince us to alter our previous conclusion that Airlift's "area of operations" should be expanded only to the limited extent proposed in the notice (EDR-206, supra).[4]

Eastern, opposing any expansion of Airlift's area of operations, maintains, inter alia, that there is no need for additional cargo capacity in the United States-Caribbean markets; that such traffic as there is, although profitable for a combination route carrier, would not be profitable for an independent all-cargo operation; and that such expansion would adversely affect any merged operations of Eastern and Caribbean-Atlantic Airlines, Inc. (Caribair). These contentions are without merit. As we pointed out in the notice, the proposed expansion should not significantly affect the scheduled operations of the incumbent combination carrier, Eastern, and no evidence has been presented to convince us otherwise.

In the notice we stated that since Airlift's route structure presently includes New York-Puerto Rico and New York-Virgin Islands segments, the proposed extension is consistent with the Board's policy that an all-cargo carrier's "area of operations" should consist of areas which are in geographical proximity to its certificated routes. Pan American disputes the Board's tentative finding that the New York-Puerto Rico and New York-Virgin Islands route segments are geographically proximate to the islands of the Caribbean as defined in the notice.[5]

[1] June 30, 1971, docket 22880, 36 F.R. 12748.

[2] Tramp Airgo applied on Nov. 11, 1970, for a certificate to serve Bermuda, and objects to any expansion of Airlift's area of operations to include Bermuda prior to Board decision on its application. However, expansion of Airlift's off-route charter authority so as to include Bermuda in its area of operations will not prejudice Tramp Airgo's application for certificate authority to serve Bermuda on a Charlotte, N.C.-Wilmington, N.C.-Bermuda-Yarmouth, Nova Scotia route.

[3] Capitol International Airways, Inc., Modern Air Transport, Inc., Overseas National Airways, Inc., Saturn Airways, Inc., Southern Air Transport, Inc., Trans International Airlines, Inc., Universial, Airlines, Inc., World Airways, Inc.

[4] In modifying Airlift's "area of operations" so as to include the islands of the Caribbean as defined herein, we are limiting the applicability of this definition to the subject part. Thus, our definition of the islands of the Caribbean promulgated herein will have no precedential significance with respect to any other matter under the Board's jurisdiction.

[5] "'Islands of the Caribbean' means points in Jamaica, the Bahama Islands, Bermuda, Haiti, the Dominican Republic, Puerto Rico, the Virgin Islands, Trinidad and Tobago, the Cayman Islands, Aruba, the Leeward and Windward Islands, Barbados, and Curacao."

In this connection it asserts that the closest proximity of Bermuda to any point on Airlift's routes is New York, which is 762 miles distant, and that the distance between San Juan-Bermuda/Kingston/Port of Spain/Barbados is in all cases more than one-third, and in some cases one-half, the distance of the route itself. Pan American further maintains that it is the carrier whose operations would be most adversely affected by expansion of Airlift's charter authority; that its overall Latin American scheduled all-cargo operations have sustained operating losses in 5 of the past 6 years; and that it cannot afford additional diversion such as would result from Airlift's strengthening.

We are not convinced that any substantial diversion of Pan American's traffic will result from the action taken in this rule making proceeding.[6] Moreover, the standard of geographical proximity or the general geographic area of the carrier's certificated route operations,[7] for the purpose of determining a carrier's "area of operations" under Part 207, is a relative standard, one which cannot be defined by precise measurements. Nothing has been presented to us to negate our previous tentative finding as to the geographical proximity of the islands of the Caribbean to Airlift's certificated route, and this finding we now affirm.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 207 of the Economic Regulations (14 CFR Part 207), effective November 22, 1971, as follows:

1. Amend § 207.1 by adding a new definition of "Islands of the Caribbean" to read as follows:

§ 207.1 Definitions.

As used in this part, unless the context otherwise requires:

* * * * *

"Islands of the Caribbean" means points in Jamaica, the Bahama Islands, Bermuda, Haiti, the Dominican Republic, Puerto Rico, the Virgin Islands, Trinidad and Tobago, the Cayman Islands, Aruba, the Leeward and Windward Islands, Barbados, and Curacao.

* * * * *

2. Amend paragraph (c) (3) of § 207.6 to read as follows:

§ 207.6 All-cargo carriers: limitation on amount of charter trips which may be performed.

* * * * * *

(c) Within the meaning of paragraph (b) of this section, the areas of operations of the all-cargo carriers are the following:

* * * * *

(3) Between the 48 contiguous States, on the one hand, and the islands of the Caribbean, on the other—Airlift International, Inc.

* * * * *

(Secs. 204(a) and 401 of the Federal Aviation Act of 1958, as amended, 72 Stat. 743, 754 (as amended by 76 Stat. 143, 82 Stat. 867), 49 U.S.C. 1324, 1371)

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK, *Secretary.*

[FR Doc.71-15348 Filed 10-20-71;8:51 am]

[6] The NACA carriers also claim that substantial diversion from their traffic would result from the expansion of Airlift's area of operations as proposed. They maintain that the United States-Caribbean cargo charters of the NACA carriers (excluding United States-Puerto Rico/Virgin Islands markets in which Airlift has unlimited cargo charter authority) produced $206,000 in revenue in 1970 and $49,000 for the first 6 months of 1971. Accepting these revenue figures at face value, they do not purport to represent diversion which would be caused by Airlift but rather revenue subject to diversion. No estimate has been made by the NACA carriers as to what the actual diversion would be.

[7] ER-419, 29 F.R. 13246, ER-636, 35 F.R. 13282.

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Release Nos. 33-5200, 34-9364, 35-17307, 39-301, IC-6762]

PART 200—ORGANIZATION; CONDUCT AND ETHICS; AND INFORMATION AND REQUESTS

Amendment of Rules Delegating Certain Functions to Certain Staff Officials

The Securities and Exchange Commission has amended its rules under which certain functions of the Commission have been delegated to the directors of divisions and certain other staff officials.

One of the amendments delegates to the Director of the Division of Corporation Finance authority to issue orders pursuant to Rule 479 (17 CFR 230.479) under the Securities Act of 1933 declaring registration statements abandoned. That rule provides for the issuance of such orders after notice to the registrant and failure of the registrant to amend or withdraw the registration statement.

Another amendment delegates to the Director of that Division authority to permit the filing of information statements pursuant to Rule 14c-5(a) (17 CFR 240.14c-5(a)) under the Securities Exchange Act of 1934 and information pursuant to Rule 14f-1 (17 CFR 240.-14f-1) under that Act within periods of time less than that prescribed in those rules. The Director has similar authority with respect to information and documents filed under the proxy rules.

The Director of the above-mentioned Division has delegated authority to deny applications for extensions of time pursuant to Rule 12b-25 (17 CFR 240.12b-25) under the Securities Exchange Act of 1934. A third amendment to the delegation rules authorizes him to grant or deny applications for extensions of time to file initial registration statements pursuant to section 12(g) of the Act.

Commission action. Paragraphs (a) (2) and (e) (4) and (5) of § 200.30-1 of Chapter II of Title 17 of the Code of Federal Regulations are hereby amended to read as follows:

§ 200.30-1 Delegation of authority to Director of Division of Corporation Finance.

* * * * *

(a) * * *

(2) To consent to the withdrawal of registration statements or amendments or exhibits thereto, pursuant to § 230.477 of this chapter, and to issue orders declaring registration statements abandoned, pursuant to § 230.479 of this chapter;

* * * * *

(e) * * *

(4) To authorize the use of forms of proxies, proxy statements or other soliciting material within periods of time less than that prescribed in §§ 240.14a-6, .14a-8(d), and .14a-11 of this chapter; to authorize the filing of information statements within periods of time less than that prescribed in § 240.14c-5(a) of this chapter; and to authorize the filing of information pursuant to § 240.14f-1 of this chapter within periods of time less than that prescribed in that section.

(5) To grant or deny applications filed pursuant to section 12(g) (1) of the Act for extensions of time within which to file registration statements pursuant to that section and to grant or deny applications filed pursuant to § 240.12b-25 of this chapter for extensions of time within which to file information, documents, or reports, provided the applicant is advised of his right to have any such denial reviewed by the Commission.

* * * * *

The Commission finds that the foregoing amendments involve matters of agency organization or procedure and that notice and procedure pursuant to subsections 4 (a) and (b) of the Administrative Procedure Act are not required. The Commission also finds that the provisions of subsection 4(c) of the Administrative Procedure Act regarding postponement of the effective date are inapplicable inasmuch as the foregoing amendments are not of a substantive nature.

Accordingly, the foregoing action, which is taken pursuant to Public Law No. 87-592, 76 Stat. 394, shall become effective October 12, 1971.

By the Commission, October 12, 1971.

[SEAL] RONALD F. HUNT, *Secretary.*

[FR Doc.71-15293 Filed 10-20-71;8:46 am]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER C—DRUGS

PART 135c—NEW ANIMAL DRUGS IN ORAL DOSAGE FORMS

Thiabendazole

The Commissioner of Food and Drugs has evaluated a new animal drug application (44-654V) filed by Merck Sharp & Dohme Research Laboratories, Division of Merck & Co., Inc., Rahway, N.J. 07065, proposing an additional safe and effective use of thiabendazole as an anthelmintic in horses. The application is approved.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i)) and under authority delegated to the Commissioner (21 CFR 2.120), § 135c.7 is amended by revising paragraph (c)(2) and by adding a new paragraph (e)(3), as follows:

§ 135c.7 Thiabendazole.

* * * * *

(c) * * *

(2) See code No. 023 in § 135.501(c) of this chapter for the sponsor of the usages provided by paragraph (e) (2) and (3) of this section.

* * * * *

(e) * * *

(3) It is administered to horses in a single dosage mixed with the normal grain ration given at one feeding, as follows:

(i) At the rate of 2 grams of thiabendazole per 100 pounds of body weight for the control of large and small strongyles, *Strongyloides*, and pinworms.

(ii) At the rate of 4 grams of thiabendazole per 100 pounds of body weight for the control of ascarids.

(iii) The genera represented by the types of worms cited in subdivisions (i) and (ii) of this subparagraph are *Strongylus*, *Cyathostomum*, *Cylicobrachytus* and related genera, *Craterostomum*, *Oesophagodontus*, *Poteriostomum*, *Oxyuris*, *Strongyloides*, and *Parascaris*.

(iv) Warning: Not for use in horses intended for food.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER (10-21-71).

(Sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i))

Dated: October 10, 1971.

C. D. VAN HOUWELING,
Director,
Bureau of Veterinary Medicine.

[FR Doc.71-15333 Filed 10-20-71;8:50 am]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[FCC 71-1060]

PART 73—RADIO BROADCAST SERVICES

Random Closed Circuit Tests of Emergency Broadcast System

Order. In the matter of Random closed circuit tests of Emergency Broadcast System (EBS) technical and program origination channels.

1. By Commission action on December 2, 1970, the basic Emergency Broadcast System (EBS) plan was amended to provide for random closed circuit test broadcasts. The amendments were made effective December 23, 1970.

2. The first random closed circuit test of the EBS was conducted on January 11, 1971. The test disclosed a number of operational deficiencies.

3. On February 20, 1971, an employee of the U.S. Army Strategic Communications Command (STRATCOM) transmitted an emergency action notification in error resulting in considerable confusion.

4. The deficiencies disclosed by these incidents have been under extensive study and review by working groups I and V of the Broadcast Services Subcommittee, National Industry Advisory Committee. Formal recommendations concerning these matters were submitted on August 26, 1971. These recommendations were forwarded to appropriate Government agencies for comment prior to September 17, 1971. These recommendations were further refined on October 7, 1971.

5. Another random closed circuit test of the EBS was conducted on September 14, 1971. A large number of additional operational deficiencies were disclosed.

6. In view of the foregoing, and until the NIAC recommendations in these matters are promulgated and implemented, *It is ordered*, Effective October 15, 1971, that the provisions of §§ 73.961 (d) and 73.962 (a) and (b) are suspended and random closed circuit tests of the EBS are suspended until further notice.

7. Authority for the adoption of these suspensions is contained in section 1, 4(i), and 303(r) of the Communications Act of 1934, as amended, and Executive Order 11490.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1082; 47 U.S.C. 154, 303)

Adopted: October 14, 1971.

Released: October 15, 1971.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc.71-15340 Filed 10-20-71;8:50 am]

[1] Commissioner Reid not participating.

Title 49—TRANSPORTATION

Chapter III—Federal Highway Administration, Department of Transportation

SUBCHAPTER B—MOTOR CARRIER SAFETY REGULATIONS

[Docket No. MC-29; Notice No. 71-31]

PART 395—HOURS OF SERVICE OF DRIVERS

Drivers Operating in the State of Alaska

On June 10, 1971, the Bureau of Motor Carrier Safety issued a notice of proposed rule making, inviting interested persons to comment on a proposal initiated pursuant to a petition filed by the Alaska Carriers Association, Inc., to amend the special provisions of the Motor Carrier Safety Regulations pertaining to drivers who operate solely within the State of Alaska (36 F.R. 12174). Under the proposal, the special rules pertaining to those drivers, found in 49 CFR 395.3(e), would have been extended to cover drivers who operate between points in Alaska and points in Yukon Territory or British Columbia. Interested persons were invited to file comments on the proposal before close of business on August 16, 1971.

No comments were received.

As noted above, the proposal sought extension of the present rule, which permits somewhat longer driving and on-duty hours for drivers who operate in the State of Alaska, to include drivers who operate between points in Alaska and points in Yukon Territory and British Columbia. In reviewing the issues presented, the Bureau became convinced that the arguments in favor of granting the petition apply equally to drivers who enter or leave Alaska, regardless of the origin or destination of their trips. The rule has been amended to provide for special, more liberal, hours-of-service limitations applicable to any driver who is driving a motor vehicle in the State of Alaska. Thus, the rule now becomes applicable to drivers who operate solely within Alaska, to drivers who have entered Alaska from Canada, and to drivers who are in the process of departing the State of Alaska.

A parallel change is being made in § 395.10 of the regulations, which provides special rules pertaining to the maximum driving time for drivers who meet adverse driving conditions during a trip.

Editorial changes, which are not intended to affect substance, are being made in §§ 395.3(e) and 395.10.

In consideration of the foregoing, §§ 395.3(e) and 395.10 in Part 395 of the Motor Carrier Safety Regulations (Subchapter B of Chapter III in title 49, CFR) are revised to read as set forth below.

Since these revisions relieve restrictions, they are effective on the date of publication in the FEDERAL REGISTER.

These revisions are issued under the authority of section 204 of the Interstate Commerce Act, 49 U.S.C. 304, section 6 of the Department of Transportation Act, 49 U.S.C. 1655, and the delegations of authority by the Secretary of Transportation and the Federal Highway Administrator at 49 CFR 1.48 and 49 CFR 389.4, respectively.

Issued on October 9, 1971.

ROBERT A. KAYE,
Director,
Bureau of Motor Carrier Safety.

I. Section 395.3(e) of the Motor Carrier Safety Regulations is revised to read as follows:

§ 395.3 Maximum driving and on-duty time.

* * * * *

(e) A driver who is driving a motor vehicle in the State of Alaska must not drive or be permitted to drive more than 15 hours following 8 consecutive hours off duty. A driver who is driving a motor vehicle in the State of Alaska must not drive or be permitted to drive after he has been on duty for 20 hours or more following 8 consecutive hours off duty. A driver who drives a motor vehicle in the State of Alaska must not be on duty or be permitted to be on duty more than—

(1) 70 hours in any period of 7 consecutive days, if the carrier for whom he drives does not operate every day in the week; or

(2) 80 hours in any period of 8 consecutive days, if the carrier for whom he drives operates every day in the week.

II. Section 395.10 of the Motor Carrier Safety Regulations is revised to read as follows:

§ 395.10 Adverse driving conditions.

(a) Except as provided in paragraph (b) of this section, a driver who encounters snow, sleet, fog, other adverse weather conditions, highways covered with snow or ice, or unusual road and traffic conditions during a run may drive or operate a motor vehicle, and may be required or permitted to drive or operate a motor vehicle, for not more than 12 hours in the aggregate following 8 consecutive hours off duty in order to complete that run, if he cannot safely complete the run within the maximum driving time permitted by § 395.3(a). However, that driver may not drive or be permitted to drive after he has been on duty 15 hours following 8 consecutive hours off duty.

(b) A driver who is driving a motor vehicle in the State of Alaska and who encounters the adverse driving conditions specified in paragraph (a) of this section during a run may drive or operate a motor vehicle, and may be permitted to drive or operate a motor vehicle, for the period of time needed to complete the run. After he completes the run, that driver must be off duty for 8 consecutive hours before he drives again.

[FR Doc.71-15289 Filed 10-20-71;8:45 am]

Chapter V—National Highway Traffic Safety Administration, Department of Transportation

[Dockets Nos. 1-9 and 1-10; Notice 7]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Exterior Protection

The purpose of this notice is to amend Federal Motor Vehicle Safety Standard No. 215, in § 571.21 of Title 49, Code of Federal Regulations. The amendments are based on a review of all materials heretofore submitted to the docket, including a petition for reconsideration by the Japanese Automobile Manufacturers Association (JAMA). They also constitute action on the notice of proposed rule making of June 22, 1971 (36 F.R. 11863).

As published June 22, 1971 (36 F.R. 11852), Standard No. 215 became effective in two phases. The first phase, beginning September 1, 1972, requires a passenger car to meet certain protective criteria in barrier impacts at 5 m.p.h. in the front and 2½ m.p.h. in the rear. The second phase, effective September 1, 1973, required a car to meet the protective criteria during and after an additional series of impacts with a weighted pendulum, at 5 m.p.h. in the front, 4 m.p.h. in the rear and 3 m.p.h. on the vehicle corners.

Simultaneously with the publication of the standard on June 22, the NHTSA proposed amendments in the second phase of the requirements that would increase the protection required by the standard (36 F.R. 11868). The velocities in rear impacts were to be raised to 5 m.p.h. for both barrier and pendulum testing, the vehicle's engine was to be running during a barrier impact, and the list of protective criteria was to be enlarged to include a general prohibition against damage that adversely affects any aspect of performance that relates to motor vehicle safety.

The petition for reconsideration by JAMA requested a 1-year delay in the 5-m.p.h. front and 4-m.p.h. rear pendulum impact requirements contained in the June 22 rule. The NHTSA has concluded that a uniform delay in the pendulum requirements is not justified, in that for the majority of vehicles the cost of improved protective systems in 1973 is outweighed by their benefits. The JAMA petition is therefore denied.

With respect to the amendments proposed in the notice of June 22, a number of comments objected to the proposed increase in the velocity of rear barrier impacts for the reason that it would require additional time for compliance and that it would increase the cost of the protective system without corresponding benefits to the consumer. On review, the NHTSA has concluded that the benefits of 5-m.p.h. rear bumper protection will outweigh the costs involved. Basic 5-m.p.h. barrier-impact protection can be provided with a variety of available devices and designs, which do not themselves generally require extensive vehicle sheet-metal changes. The requirement of meeting the damage criteria in a 5-m.p.h. impact, front and rear, is therefore adopted, effective September 1, 1973.

The notice of June 22, 1971, also proposed to increase the speed of the pendulum test device in rear impacts to 5 m.p.h., effective September 1, 1973. Several comments raised leadtime objections. Upon review of the information concerning tooling costs and other costs associated with a 5 m.p.h. rear pendulum test in 1973, the NHTSA has concluded that for the majority of vehicles, the benefits to the public outweigh any incremental cost associated with the 1973 effective date, and September 1, 1973 is established as the effective date for most vehicles.

The NHTSA has determined, however, that with respect to certain vehicles, the detailed configurational requirements imposed by the pendulum tests cause severe leadtime problems. The vehicles having the greatest difficulties are concentrated in the smaller classes, particularly small convertibles, hardtops, and sports-type cars. It has been determined that if these vehicles were forced to comply with the pendulum tests by the September 1, 1973 date, a substantial disruption of the manufacturers' production and tooling schedules would result, with extremely large cost penalties. In view of the adverse effect that this would probably have both on manufacturers' other safety-related development programs and on consumer costs, a 1-year delay in the pendulum test requirements with respect to the limited class of vehicles most severely affected has been found to be in the public interest. An exception has therefore been made in the application of the pendulum test requirement to passenger cars with wheel base of 115 inches or less, if they are convertibles, vehicles with no back seat, or "hardtops" (vehicles with no "B pillar" above the bottom of the window opening). These cars must meet the requirement 1 year later, by September 1, 1974. This exception does not affect the barrier crash test requirements, which go into effect as proposed with respect to all passenger cars.

In response to repeated requests from manufacturers to alleviate the retooling and restyling problems associated with corner impacts at heights below 20 inches, the NHTSA has determined that a 2-year delay in the implementation of S7.2.2, to September 1, 1975, would allow for more economical changeover and amends the standard accordingly. The requirement for corner impacts at 20 inches (S7.2.1) remains effective September 1, 1973, and will provide a significant level of protection for the period before the effective date of S7.2.2.

The new condition regarding engine operation caused some uncertainty among the commenters as to whether the engine must remain running for any length of time after initial contact with the barrier. Temporary engine stalling at low speeds is not considered a major safety problem, nor would it alone constitute damage within the meaning of

the standard. If the engine cannot be restarted, of course, some damage would be indicated, and the vehicle would fail to conform to the protective criterion proposed by the June 22 notice. To clarify this point, the NHTSA has decided to amend the test condition to provide that the engine is operating "at the onset of a barrier impact."

The proposed addition to the protective criteria was criticized for what was said to be a lack of objectivity, in that it does not identify the aspects of performance relating to motor vehicle safety and does not specify the manner in which they may be adversely affected. As an alternative, it was suggested that the NHTSA list the specific systems that must remain fully operative after the vehicle has been tested. This suggestion has merit, in that it would eliminate uncertainty as to which systems must be examined for damage after the tests have been performed. The vehicle propulsion, suspension, steering, and braking systems have been identified in this regard.

The suggestion that the particular prohibited effects on given systems be specified has not, however, been adopted. It is impracticable, and probably impossible, to specify in a standard all foreseeable types of damage or impairment that could occur to a complex system such as steering or front suspension. Any motor vehicle must, on the other hand, be designed so as to withstand without damage the types and degrees of shocks and stresses that it will encounter in normal road use (aside from normal wear that occurs with extended use, which is not at issue here). The NHTSA has therefore found it reasonable to require manufacturers to design their vehicles, including the front and rear bumper systems, in such a manner that specified safety-related systems suffer no damage, remain in proper adjustment, and continue to operate in the normal manner.

One clarifying amendment has been adopted as a result of comments on the requirement of S5.3.1 that the vehicle "shall comply with the applicable visibility requirements of section S4.3.1.1 of Motor Vehicle Safety Standard No. 108." Ford suggested that the quoted language might not cover the appropriate aspects of lighting performance, and therefore requested a reference to Table III of Standard No. 108. Upon review of the question, the NHTSA agrees that the comprehensive nature of S5.3.1 should be more strongly indicated, but finds that the omission of some categories of lights from Table III make it an inadequate reference. Instead, it has been decided to strike the limiting reference to section S4.3.1.1 of Standard No. 108 and to refer broadly to the "applicable requirements of Motor Vehicle Safety Standard No. 108." Use of this more general phrase makes the reference to the headlamp adjustment requirements unnecessary and that sentence is accordingly deleted.

In a separate petition for rule making, American Motors has requested an amendment to permit the removal during pendulum tests, of "bumper protective strips" made of resilient material with specified characteristics. Although the NHTSA recognizes that resilient materials may be used to advantage on automobile bumpers, it regards the June 22 amendment of the impact ridge as the most satisfactory means of permitting such materials. By permitting removal of such materials during testing the standard would no longer effectively control the contour of the vehicle's bumper and its interaction with other vehicles during low speed impacts. The petition is therefore denied.

By reason of the foregoing, Motor Vehicle Safety Standard No. 215, Exterior Protection, is amended to read as follows:

1. S5.2 is amended to read:

S5.2 *Vehicles Manufactured on or after September 1, 1973.* Except as provided in S5.2.1 and S5.2.2, each vehicle manufactured on or after September 1, 1973, shall meet the protective criteria of S5.3.1 through S5.3.6 during and after impacts by a pendulum-type test device in accordance with the procedures of S7.1 and S7.2 followed by impacts into a fixed-collision barrier that is perpendicular to the line of travel of the vehicle, while traveling longitudinally forward at 5 m.p.h. and while traveling longitudinally rearward at 5 m.p.h., under the conditions of S6.

S5.2.1 The corner-impact procedure of S7.2.2 shall not apply to any vehicle manufactured from September 1, 1973, to August 31, 1975.

S5.2.2 The fixed-collision-barrier impact requirements of S5.2 shall apply, but the pendulum-impact requirements of S5.2 shall not apply to each vehicle manufactured from September 1, 1973 to August 31, 1974, that has a wheelbase of 115 inches or less and that either—

(a) Has a convertible top;

(b) Has no roof support structure between the A-pillar and the rear roof support structure; or

(c) Has no designated seating position behind the front designated seating positions.

2. S5.3 is amended to read as follows:

S5.3.1 Each lamp or reflective device, except license plate lamps, shall be free of cracks and shall comply with the applicable requirements of Motor Vehicle Safety Standard No. 108.

S5.3.2 The vehicle's hood, trunk, and doors shall operate in the normal manner.

S5.3.3 The vehicle's fuel and cooling systems shall have no leaks or constricted fluid passages and all sealing devices and caps shall operate in the normal manner.

S5.3.4 The vehicle's exhaust system shall have no leaks or constrictions.

S5.3.5 The vehicle's propulsion, suspension, steering, and braking systems shall suffer no damage, shall remain in adjustment and shall operate in the normal manner.

S5.3.6 The vehicle shall not touch the test device except on the impact ridge shown in Figures 1 and 2.

3. S6.3 is added to read:

S6.3 *Barrier test condition.* At the onset of a barrier impact, the vehicle's engine is operating at idling speed.

4. S7.1.6 is amended to read as follows:

S7.1.6 Impact the vehicle at 5 m.p.h.

Effective date: September 1, 1972, except as otherwise noted in S5.2.

The foregoing amendments are issued under the authority of sections 103 and 119 of the National Traffic and Motor Vehicle Safety Act, 15 U.S.C. 1392, 1407, and the delegation of authority at 49 CFR 1.51.

Issued on October 18, 1971.

CHARLES H. HARTMAN,
Acting Administrator.

[FR Doc.71-15377 Filed 10-20-71;8:53 am]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 32—HUNTING

Bosque del Apache National Wildlife Refuge, N. Mex.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER (10-21-71).

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

NEW MEXICO

BOSQUE DEL APACHE NATIONAL WILDLIFE REFUGE

Public hunting of quail and rabbits on the Bosque del Apache National Wildlife Refuge, N. Mex., is permitted from October 30, 1971 through January 2, 1972, inclusive, but only on the area designated by signs as open to hunting. This open area, comprising 44,200 acres, includes all refuge lands east of the Bureau of Reclamation channelization project and all refuge lands west of the A.T. & S.F. Railroad right-of-way. These areas are delineated on maps available at refuge headquarters, San Antonio, N. Mex., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, NM 87103. Hunting shall be in accordance with all applicable State regulations governing the hunting of quail and rabbits subject to the following special conditions:

(1) Hunting with rifles and handguns is prohibited.

(2) Access to the area is from the refuge headquarters entrance road; from Highway 380 via the Bureau of Reclamation east channel road; and from all other established entrances on the north, east, and south boundaries of the refuge. Vehicles are permitted only on established roads.

(3) No more than two dogs may be used by a hunter.

(4) Hunters shall leave the refuge by one-half hour after sunset.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 2, 1972.

RICHARD W. RIGBY,
Refuge Manager, Bosque del Apache National Wildlife Refuge, San Antonio, N. Mex.

OCTOBER 7, 1971.

[FR Doc.71-15285 Filed 10-20-71;8:45 am]

PART 32—HUNTING

Bosque del Apache National Wildlife Refuge, N. Mex.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER (10-21-71).

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

NEW MEXICO

BOSQUE DEL APACHE NATIONAL WILDLIFE REFUGE

Public hunting of deer on the Bosque del Apache National Wildlife Refuge, N. Mex., is permitted only on the area designated by signs as open to hunting. This open area, comprising 20,200 acres, is delineated on maps available at refuge headquarters, San Antonio, N. Mex., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, NM 87103. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer subject to the following special condition:

(1) The open season for hunting deer on the refuge is from November 20 through November 28, 1971, inclusive.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 28, 1971.

RICHARD W. RIGBY,
Refuge Manager, Bosque del Apache National Wildlife Refuge, San Antonio, N. Mex.

OCTOBER 7, 1971.

[FR Doc.71-15284 Filed 10-20-71;8:45 am]

PART 33—SPORT FISHING

Arrowwood National Wildlife Refuge, N. Dak.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER (10-21-71).

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

NORTH DAKOTA

ARROWWOOD NATIONAL WILDLIFE REFUGE

Sport fishing on the Arrowwood National Wildlife Refuge, N. Dak., is permitted only on the areas designated by signs as open to fishing. These open areas comprising 1,550 acres are delineated on maps available at the refuge headquarters and from the Office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, Minn. 55111. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) The open season for sport fishing on the refuge shall extend from December 15, 1971 to March 26, 1972, daylight hours only.

(2) The use of boats, without motors, is permitted.

The provisions of these special regulations supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Part 33, and are effective through March 26, 1972.

GLEN R. MILLER,
Acting Refuge Manager, Arrowwood National Wildlife Refuge, Edmunds, N. Dak. 58434.

OCTOBER 14, 1971.

[FR Doc.71-15283 Filed 10-20-71;8:45 am]

Proposed Rule Making

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 71-GL-6]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to designate a transition area at Bad Axe, Mich.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Great Lakes Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 3166 Des Plaines Avenue, Des Plaines, IL 60018. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Room 18, 3158 Des Plaines Avenue, Des Plaines, IL 60018.

Two new public instrument approach procedures have been developed for Huron County Airport, Bad Axe, Mich., based on a non-Federal VOR located on the airport. Consequently, it is necessary to provide controlled airspace protection for aircraft executing these new approaches by designation of a transition area at Bad Axe, Mich. The new procedures will become effective concurrently with the designation of the transition area.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

In § 71.181 (36 F.R. 2140), the following transition area is added:

BAD AXE, MICH.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Huron County Airport (latitude 43°-47'00" N., longitude 82°59'00" W.); within 3 miles each side of the 023° and 215° bearings from the Huron County Airport extending from the 5-mile-radius area to 8 miles northeast and southwest of the airport; and that airspace extending upward from 1,200 feet above the surface within 4½ miles northwest and 9½ miles southeast of the 215° bearing from the airport and 4½ miles east and 9½ miles west of the 023° bearing from the airport extending from the airport to 18½ miles southwest and north of the airport.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Des Plaines, Ill., on September 29, 1971.

R. O. ZIEGLER,
Acting Director,
Great Lakes Region.

[FR Doc.71-15317 Filed 10-20-71;8:48 am]

[14 CFR Part 71]

[Airspace Docket No. 71-GL-7]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to designate a transition area at Effingham, Ill.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Great Lakes Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 3166 Des Plaines Avenue, Des Plaines, IL 60018. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Room 18, 3158 Des Plaines Avenue, Des Plaines, IL 60018.

A new public instrument approach procedure has been developed for the Effingham County Memorial Airport, Effingham, Ill., based on the Bible Grove VOR. Consequently, it is necessary to provide controlled airspace protection for aircraft executing this new approach by designation of a transition area at Effingham, Ill. The new procedure will become effective concurrently with the designation of the transition area. IFR traffic at this location will be controlled by the Kansas City Air Route Traffic Control Center.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

In § 71.181 (36 F.R. 2140), the following transition area is added:

EFFINGHAM, ILL.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Effingham County Memorial Airport (latitude 39°04'15" N., longitude 88°33'15" W.).

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Des Plaines, Ill., on September 29, 1971.

R. O. ZIEGLER,
Acting Director,
Great Lakes Region.

[FR Doc.71-15318 Filed 10-20-71;8:48 am]

CIVIL AERONAUTICS BOARD

[14 CFR Parts 207, 208, 212, 214, 372]

[Docket No. 21666]

OVERSEAS MILITARY PERSONNEL CHARTERS

Supplemental Notice of Rule Making

OCTOBER 15, 1971.

The Board, by circulation of notice of rule making EDR-173C/SPDR-25 dated August 27, 1971, and published at 36 F.R. 17655, gave notice that it had under consideration proposed amendments to Parts 207, 208, 212, and 214 of its Economic Regulations (14 CFR Parts 207, 208, 212, and 214), and proposed adoption of a new Part 372 of its Special Regulations (14 CFR Part 372). These proposals would establish a new class of charter for military personnel and their dependents, enable air carriers and foreign air carriers to perform such charters, and relieve charter operators from certain provisions of the Federal Aviation Act in order to authorize them to act as indirect air carriers with respect

to such charters. Interested persons were invited to participate by submission of twelve (12) copies of written data, views, or arguments pertaining thereto, to the Docket Section of the Board on or before October 18, 1971. By EDR-173D/SPDR-25A, dated October 4, 1971, and published at 36 F.R. 19515, the Associate General Counsel, Rules and Rates Division, acting pursuant to authority delegated to him by the Board, extended the time for submitting comments to November 17, 1971.

This rule making proceeding is the subject of widespread interest among individual members of the general public who, as prospective passengers or other users of the charter services in question, may be affected. In view of the fact that our normal requirement that comments be submitted in twelve (12) copies may be unduly burdensome for such persons, the Board has determined to accept single copies of letter comments from such persons.

Accordingly, notwithstanding the provisions of any previous notice issued by the Board in this proceeding, members of the general public who, as individual users of the charter services in question may be affected by the outcome of this proceeding, may participate in the proposed rule making through submission of comments in letter form addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428, without the necessity of filing additional copies thereof. All relevant material in communications received on or before November 17, 1971, will be considered by the Board before taking final action on the proposed rules.

(Sec. 204(a) of the Federal Aviation Act of 1958, as amended, 72 Stat. 743; 49 U.S.C. 1324)

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.71-15347 Filed 10-20-71;8:51 am]

ENVIRONMENTAL PROTECTION AGENCY

[18 CFR Part 601]

GRANTS FOR CONSTRUCTION OF TREATMENT WORKS

Assurances From Applicant

A notice was published on September 15, 1971, that the Administrator, Environmental Protection Agency, proposes to amend Part 601, Subpart B, § 601.27 *Assurances from applicant* to establish regulations to permit approval of "Turn-Key" projects for waste treatment plant construction. Interested persons were given the opportunity to participate in the rulemaking through submission of comments, not later than 30 days after publication date (September 15, 1971) of the proposed regulation.

Notice is hereby given that the date for submission of comments is extended an additional 45 days; that is, a total of 75 days from the original publication date of September 15, 1971. Interested persons may submit in triplicate, written data, views, or arguments in regard to the proposed regulations to the Director, Grants Administration Division, Office of Administration, Environmental Protection Agency, Washington, D.C. 20460. Copies of the submissions will be available for examination by interested persons in Room 1103, 1750 K Street NW., Washington, DC.

Dated: October 18, 1971.

WILLIAM D. RUCKELSHAUS,
Administrator.

[FR Doc.71-15338 Filed 10-20-71;8:50 am]

NATIONAL CREDIT UNION ADMINISTRATION

[12 CFR Part 700]

PROPOSED DEFINITION OF RISK ASSETS

Extension of Time for Comments

Correction

In F.R. Doc. 71-15169 appearing at page 20247 in the issue of Tuesday, October 19, 1971, the date of "November 5, 1971" given as the extension of time date should read "November 15, 1971."

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

LARGE POWER TRANSFORMERS FROM FRANCE

Withholding of Appraisement Notice

Information was received on March 11, 1970, that large power transformers from France were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as the Act). This information was the subject of an Antidumping Proceeding Notice which was published in the FEDERAL REGISTER of June 17, 1970, on page 9934. The Antidumping Proceeding Notice indicated that there was evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States.

An amendment to this notice was published in the FEDERAL REGISTER of June 11, 1971, on page 11308, for the purpose of making it clear that the notice applied to all types of transformers rated 10,000 KVA or above, by whatever name designated, used in the generation, transmission, distribution, and utilization of electrical power, including but not limited to shunt reactors, autotransformers, rectifier transformers, and power rectifier transformers.

Pursuant to section 201(b) of the Act (19 U.S.C. 160(b)), notice is hereby given that there are reasonable grounds to believe or suspect that the purchase price (section 203 of the Act; 19 U.S.C. 162) of large power transformers from France is less, or likely to be less, than the foreign market value (section 205 of the Act; 19 U.S.C. 164).

STATEMENT OF REASONS

The information before the Bureau tends to indicate the probable basis of comparison will be between purchase price and home market price of such or similar merchandise.

Preliminary analysis suggests that purchase price will be calculated on the basis of a c.i.f. duty-paid delivered customer's premises price, less applicable charges. These applicable charges are transportation charges, U.S. duty and brokerage fees, commissions, and material purchased in the United States. An addition will be made for French taxes which have been rebated, or which have not been collected, by reason of the exportation of the merchandise.

Home market price will probably be based on a delivered price in the home market. Appropriate adjustments appear to be warranted for transportation charges, erection costs, and packing charges. An adjustment was made for differences in the merchandise compared.

Using the above criteria, there are reasonable grounds to believe or suspect that purchase price will be lower than the adjusted home market price.

Customs officers are being directed to withhold appraisement of large power transformers from France in accordance with § 153.48, Customs Regulations (19 CFR 153.48).

In accordance with §§ 153.32(b) and 153.37, Customs Regulations (19 CFR 153.32(b), 153.37), interested parties may present written views or arguments, or request in writing that the Secretary of the Treasury afford an opportunity to present oral views.

Any requests that the Secretary of the Treasury afford an opportunity to present oral views should be addressed to the Commissioner of Customs, 2100 K Street NW., Washington, DC 20226, in time to be received not later than 10 calendar days from the date of publication of this notice in the FEDERAL REGISTER.

Any written views or arguments should likewise be addressed to the Commissioner of Customs in time to be received by his Office not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER.

This notice, which is published pursuant to § 153.34(b), Customs Regulations, shall become effective upon publication in the FEDERAL REGISTER (10-21-71). It shall cease to be effective at the expiration of 6 months from the date of this publication, unless previously revoked.

[SEAL] EDWIN F. RAINS,
Acting Commissioner of Customs.

Approved: October 15, 1971.

EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[FR Doc.71-15364 Filed 10-20-71;8:52 am]

LARGE POWER TRANSFORMERS FROM ITALY

Withholding of Appraisement Notice

Information was received on March 11, 1970, that large power transformers from Italy were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an Antidumping Proceeding Notice which was published in the FEDERAL REGISTER of June 17, 1970, on page 9934. The Antidumping Proceeding Notice indicated that there was evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States.

An amendment to this notice was published in the FEDERAL REGISTER of June 11, 1971, on page 11308, for the purpose of making it clear that the notice applied to all types of transformers rated 10,000 KVA or above, by whatever name designated, used in the generation, transmission, distribution, and utilization of electrical power, including but not limited to shunt reactors, autotransformers, rectifier transformers, and power rectifier transformers.

Pursuant to section 201(b) of the Act (19 U.S.C. 160(b)), notice is hereby given that there are reasonable grounds to believe or suspect that the purchase price (section 203 of the Act; 19 U.S.C. 162) of large power transformers from Italy is less, or likely to be less, than the foreign market value (section 205 of the Act; 19 U.S.C. 164).

STATEMENT OF REASONS

The information currently before the Bureau tends to indicate that there are sufficient sales in the home market to warrant the use of home market price. The probable basis of comparison will be between purchase price and home market price of such or similar merchandise.

Preliminary analysis suggests that purchase price will probably be calculated by deducting the following charges from f.o.b. point of destination prices: U.S. inland freight, U.S. duty, sales commission, ocean freight, marine insurance, and Italian inland freight. Additions to this price will probably be made for rebated I.G.E. taxes and other rebated internal taxes and duties.

Home market price will probably be based on an ex-factory price in the home market. Appropriate adjustments appear to be warranted for sales commissions, packing charges, and differences in material and labor costs. An adjustment was made for differences in the merchandise compared.

Using the above criteria, there are reasonable grounds to believe or suspect that purchase price will be lower than the adjusted home market price.

Customs officers are being directed to withhold appraisement of large power transformers from Italy in accordance with section 153.48, Customs Regulations (19 CFR 153.48).

In accordance with §§ 153.32(b) and 153.37, Customs Regulations (19 CFR 153.32(b), 153.37), interested parties may present written views or arguments, or request in writing that the Secretary of the Treasury afford an opportunity to present oral views.

Any requests that the Secretary of the Treasury afford an opportunity to present oral views should be addressed to the Commissioner of Customs, 2100 K Street NW., Washington, DC 20226, in time to be received not later than 10 calendar days from the date of publication of this notice in the FEDERAL REGISTER.

Any written views or arguments should likewise be addressed to the Commissioner of Customs in time to be received by his office not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER.

This notice, which is published pursuant to § 153.34(b), Customs Regulations,

shall become effective upon publication in the FEDERAL REGISTER (10–21–71). It shall cease to be effective at the expiration of 6 months from the date of this publication, unless previously revoked.

[SEAL] EDWIN F. RAINS,
Acting Commissioner of Customs.

Approved: October 15, 1971.

EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[FR Doc.71–15365 Filed 10–20–71;8:52 am]

LARGE POWER TRANSFORMERS FROM JAPAN

Withholding of Appraisement Notice

Information was received on March 11, 1970, that large power transformers from Japan were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an Antidumping Proceeding Notice which was published in the FEDERAL REGISTER of June 17, 1970, on page 9934. The Antidumping Proceeding Notice indicated that there was evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States.

An amendment to this notice was published in the FEDERAL REGISTER of June 11, 1971, on page 11308, for the purpose of making it clear that the notice applied to all types of transformers rated 10,000 KVA or above, by whatever name designated, used in the generation, transmission, distribution, and utilization of electrical power, including but not limited to shunt reactors, autotransformers, rectifier transformers, and power rectifier transformers.

Pursuant to section 201(b) of the Act (19 U.S.C. 160(b)), notice is hereby given that there are reasonable grounds to believe or suspect that the purchase price (section 203 of the Act; 19 U.S.C. 162) of large power transformers from Japan is less, or likely to be less, than the foreign market value (section 205 of the Act; 19 U.S.C. 164).

STATEMENT OF REASONS

The information before the Bureau indicates that the probable basis of comparison will be between purchase price and the home market price of such or similar merchandise.

Preliminary analysis suggests that purchase price will be calculated on the basis of a c.i.f. duty-paid, delivered customer's premises price, less applicable charges. Such applicable charges are commissions, transportation charges, U.S. duty and brokerage charges, and materials and services purchased in the United States.

Home market price calculation will be based on a delivered price to the customer's premises in the home market less appropriate adjustments. The adjustment deductions appear to be transportation expenses, engineer expenses, installation charges, selling expenses, and home market packing. Other appropriate adjustments are made for various differences in types of transformers compared.

Using the above criteria, there are reasonable grounds to believe or suspect that purchase price will be lower than the adjusted home market price.

Customs officers are being directed to withhold appraisement of large power transformers from Japan in accordance with section 153.48, Customs Regulations (19 CFR 153.48).

In accordance with §§ 153.32(b) and 153.37, Customs Regulations (19 CFR 153.32(b), 153.37), interested parties may present written views or arguments, or request in writing that the Secretary of the Treasury afford an opportunity to present oral views.

Any requests that the Secretary of the Treasury afford an opportunity to present oral views should be addressed to the Commissioner of Customs, 2100 K Street NW., Washington, DC 20226, in time to be received not later than 10 calendar days from the date of publication of this notice in the FEDERAL REGISTER.

Any written views or arguments should likewise be addressed to the Commissioner of Customs in time to be received by his office not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER.

This notice, which is published pursuant to § 153.34(b), Customs Regulations, shall become effective upon publication in the FEDERAL REGISTER (10–21–71). It shall cease to be effective at the expiration of 6 months from the date of such publication, unless previously revoked.

[SEAL] LEONARD LEHMAN,
Acting Commissioner of Customs.

Approved: October 15, 1971.

EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[FR Doc.71–15366 Filed 10–20–71;8:52 am]

LARGE POWER TRANSFORMERS FROM SWITZERLAND

Withholding of Appraisement Notice

Information was received on March 11, 1970, that large power transformers from Switzerland were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an Antidumping Proceeding Notice which was published in the FEDERAL REGISTER of June 17, 1970, on page 9934. The Antidumping Proceeding Notice indicated that there was evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States.

An amendment to this notice was published in the FEDERAL REGISTER of June 11, 1971, on page 11308, for the purpose of making it clear that the notice applied to all types of transformers rated 10,000 kv.-a. or above, by whatever name designated, used in the generation, transmission, distribution, and utilization of electrical power, including but not limited to shunt reactors, autotransformers, rectifier transformers, and power rectifier transformers.

Pursuant to section 201(b) of the Act (19 U.S.C. 160(b)), notice is hereby given that there are reasonable grounds to believe or suspect that the purchase price (section 203 of the Act; 19 U.S.C. 162) of large power transformers from Switzerland is less, or likely to be less, than the foreign market value (section 205 of the Act; 19 U.S.C. 164).

STATEMENT OF REASONS

The information before the Bureau tends to indicate the probable basis of comparison will be between purchase price and home market price of such or similar merchandise.

Preliminary analysis suggests that purchase price will be calculated on the basis of the c.i.f. duty paid destination price less applicable charges. These applicable charges are transportation charges, U.S. duty and commission. An addition will be made for Swiss sales tax not collected by reason of exportation of the merchandise.

Home market price will probably be based on a delivered price in the home market. Appropriate adjustments appear to be warranted for warranty charges, packing, commissions, and transportation charges. An adjustment was made for differences in the merchandise compared.

Using the above criteria, there are reasonable grounds to believe or suspect that purchase price will be lower than the adjusted home market price.

Customs officers are being directed to withhold appraisement of large power transformers from Switzerland in accordance with § 153.48, Customs Regulations (19 CFR 153.48).

In accordance with §§ 153.32(b) and 153.37, Customs Regulations (19 CFR 153.32(b), 153.37), interested parties may present written views or arguments, or request in writing that the Secretary of the Treasury afford an opportunity to present oral views.

Any requests that the Secretary of the Treasury afford an opportunity to present oral views should be addressed to the Commissioner of Customs, 2100 K Street NW., Washington, DC 20226, in time to be received not later than 10 calendar days from the date of publication of this notice in the FEDERAL REGISTER.

Any written views or arguments should likewise be addressed to the Commissioner of Customs in time to be received by his office not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER.

This notice, which is published pursuant to § 153.34(b), Customs Regulations, shall become effective upon publication in the FEDERAL REGISTER (10–21–71). It shall cease to be effective at the expiration of 6 months from the date of this publication, unless previously revoked.

[SEAL] MYLES J. AMBROSE,
Commissioner of Customs.

Approved: October 15, 1971.

EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[FR Doc.71–15368 Filed 10–20–71;8:52 am]

LARGE POWER TRANSFORMERS FROM UNITED KINGDOM

Withholding of Appraisement Notice

Information was received on March 11, 1970, that large power transformers from the United Kingdom were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an Antidumping Proceeding Notice which was published in the FEDERAL REGISTER of June 17, 1970, on page 9935. The Antidumping Proceeding Notice indicated that there was evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States.

An amendment to this notice was published in the FEDERAL REGISTER of June 11, 1971, on page 11309, for the purpose of making it clear that the notice applied to all types of transformers rated 10,000 kv.-a. or above, by whatever name designated, used in the generation, transmission, distribution, and utilization of electrical power, including but not limited to shunt reactors, autotransformers, rectifier transformers, and power rectifier transformers.

Pursuant to section 201(b) of the Act (19 U.S.C. 160(b)), notice is hereby given that there are reasonable grounds to believe or suspect that the purchase price (section 203 of the Act; 19 U.S.C. 162) of large power transformers from the United Kingdom is less, or likely to be less, than the foreign market value (section 205 of the Act; 19 U.S.C. 164).

STATEMENT OF REASONS

The information before the Bureau indicates that the probable basis of comparison will be between purchase price and home market price of such or similar merchandise.

Preliminary analysis suggests that purchase price will be calculated on the basis of a f.o.b. port of shipment basis or of a c.i.f. duty paid, delivered customer's premises price, less applicable charges. Such applicable charges are transportation costs, duty, commission, oil and U.S. purchases where appropriate.

Home market price will probably be based on a delivered price in the home market. Appropriate adjustments appear to be warranted for transportation costs, erection costs, insurance, oil, selling expenses, credit costs, rebates, warranties, quantities, escalation clauses, and progress payments. An adjustment was made for differences in the merchandise compared.

Using the above criteria, there are reasonable grounds to believe or suspect that purchase price will be lower than the adjusted home market price.

Customs officers are being directed to withhold appraisement of large power transformers from the United Kingdom in accordance with § 153.48, Customs Regulations (19 CFR 153.48).

In accordance with §§ 153.32(b) and 153.37, Customs Regulations (19 CFR 153.32(b), 153.37), interested parties may present written views or arguments, or request in writing that the Secretary of the Treasury afford an opportunity to present oral views.

Any requests that the Secretary of the Treasury afford an opportunity to present oral views should be addressed to the Commissioner of Customs, 2100 K Street NW., Washington, DC 20226, in time to be received not later than 10 calendar days from the date of publication of this notice in the FEDERAL REGISTER.

Any written views or arguments should likewise be addressed to the Commissioner of Customs in time to be received by his office not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER.

This notice, which is published pursuant to § 153.34(b), Customs Regulations, shall become effective upon publication in the FEDERAL REGISTER (10-21-71). It shall cease to be effective at the expiration of 6 months from the date of such publication, unless previously revoked.

[SEAL] LEONARD LEHMAN,
Acting Commissioner of Customs.

Approved: October 15, 1971.

EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[FR Doc.71-15369 Filed 10-20-71;8:53 am]

Office of the Secretary

LARGE POWER TRANSFORMERS FROM SWEDEN

Notice of Intent to Discontinue Antidumping Investigation

OCTOBER 15, 1971.

Information was received on March 11, 1970, that large power transformers from Sweden were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an "Antidumping Proceeding Notice" which was published in the FEDERAL REGISTER of June 17, 1970, on page 9934.

An amendment to this notice was published in the FEDERAL REGISTER of June 11, 1971, on page 11308, for the purpose of making it clear that the notice applied to all types of transformers rated 10,000 kv.-a. or above, by whatever name designated, used in the generation, transmission, distribution, and utilization of electrical power, including but not limited to shunt reactors, autotransformers, rectifier transformers, and power rectifier transformers.

I hereby announce an intent to discontinue the antidumping investigation of large power transformers from Sweden.

STATEMENT OF REASONS ON WHICH THIS NOTICE OF INTENT TO DISCONTINUE ANTIDUMPING INVESTIGATION IS BASED

The information before the Bureau indicates the basis of comparison is between purchase price and home market price of such or similar merchandise.

Purchase price was computed on the basis of a c.i.f. duty-paid, delivered customer's premises price, less applicable charges. These applicable charges are transportation charges, performance bond charges, U.S. duty and brokerage, sales expenses of U.S. sales office, and material purchased in the United States.

Home market price is based on a delivered price in the home market. Appropriate adjustments have been made for transportation charges, performance bond charges, erection costs, oil and extra equipment costs, prepayment interest, quantities sold, and commissions. A further adjustment was made for differences in the merchandise compared.

The comparisons made revealed some instances where purchase price was lower than adjusted home market price of such or similar merchandise. However, these were determined to be minimal in terms of the volume of sales involved.

Subsequently, formal assurances were received from the manufacturer that it would make no future sales at less than fair value within the meaning of the Act.

The facts recited above constitute evidence warranting the discontinuance of the investigation.

Interested parties may present written views or arguments, or request in writing that the Secretary of the Treasury afford an opportunity to present oral views.

Any requests that the Secretary of the Treasury afford an opportunity to present oral views should be addressed to the Commissioner of Customs, 2100 K Street NW., Washington, DC 20226, in time to be received not later than 10 calendar days from the date of publication of this notice in the FEDERAL REGISTER.

Any written views or arguments should likewise be addressed to the Commissioner of Customs in time to be received by his office not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER.

Unless persuasive evidence or argument to the contrary is presented pursuant to the preceding paragraph, a final notice will be published discontinuing the investigation.

This notice of intent to discontinue an antidumping investigation is published pursuant to § 153.15(b) of the Customs Regulations (19 CFR 153.15(b)).

[SEAL] EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[FR Doc.71-15367 Filed 10-20-71;8:52 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Arizona 6042; Power Project 482]

ARIZONA

Order Providing for Opening of Public Lands

OCTOBER 15, 1971.

Pursuant to the vacating order of the Federal Power Commission (35 F.R. 19594, December 24, 1970), and by virtue of the authority contained in section 24 of the Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended, and in accordance with Bureau of Land Management Order No. 701, dated July 23, 1964

(29 F.R. 10526), as amended, it is ordered as follows:

1. The public lands within the areas described below are hereby restored to disposition under applicable public land laws from the withdrawal for Federal Power Project No. 482 dated February 27, 1924, as amended June 15, 1925 and May 11, 1939, subject to valid existing rights and the provisions of existing withdrawals:

GILA AND SALT RIVER MERIDIAN, ARIZONA

All portions of the following tracts lying within 30 feet of the centerline of the transmission line location shown on a map designated "exhibit K" and entitled "Application for License, Federal Power Commission, Map of Transmission Line under Regulation 4 Showing Survey of Centerline and Project Boundary," and filed in the office of the Federal Power Commission on February 18, 1924.

T. 9 S., R. 19 W.,
Sec. 3, SW¼SE¼;
Sec. 4, S½SW¼;
Sec. 5, S½SW¼;
Sec. 6, S½SE¼.
T. 9 S., R. 20 W.,
Sec. 1, S½S½;
Sec. 2, S½S½;
Sec. 3, S½S½;
Sec. 4, S½SE¼;
Sec. 7, lot 1, N½NE¼, and NE¼NW¼;
Sec. 8, N½N½;
Sec. 9, N½NE¼, and NW¼;
Sec. 10, NE¼, and N½NW¼;
Sec. 11, N½;
Sec. 12, N½.
T. 9 S., R. 21 W.,
Sec. 7, N½N½;
Sec. 8, N½N½;
Sec. 9, N½N½;
Sec. 10, N½N½;
Sec. 11, NW¼NE¼, S½NE¼, and N½NW¼;
Sec. 12, SW¼NW¼, N½SW¼, NW¼SE¼, and S½SE¼.
T. 9 S., R. 22 W.,
Sec. 7, N½N½;
Sec. 8, N½N½;
Sec. 10, N½N½;
Sec. 11, N½NE¼;
Sec. 12, N½N½;
T. 8 S., R. 23 W.,
Sec. 35, NW¼SW¼.
T. 9 S., R. 23 W.,
Sec. 2, lot 4, SW¼NW¼, S½SW¼, and SW¼SE¼;
Sec. 11, N½NE¼;
Sec. 12, N½NW¼.

The areas described, including both public and nonpublic lands, aggregate approximately 151 acres in Yuma County.

Some of the lands are withdrawn for reclamation purposes and some are patented. The status of any tract may be ascertained by inquiry of the Chief, Division of Technical Services, hereinafter named.

2. Until December 15, 1971, the State of Arizona shall have the preferred right of application for highway easement or for highway material site purposes (16 U.S.C. 818), as to the unappropriated lands.

3. At 10 a.m. on December 15, 1971, the unappropriated lands shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. They have been open to applications and offers under the mineral leasing laws, and except for lands withdrawn under the first form for reclamation purposes, to location under the United States mining laws, subject to the provisions of the Act of August 11, 1955 (69 Stat. 682; 30 U.S.C. 621).

Inquiries concerning the lands should be addressed to the Chief, Division of Technical Services, Bureau of Land Management, 3022 Federal Building, Phoenix, Ariz. 85025.

RILEY E. FOREMAN,
Acting State Director.

[FR Doc.71-15287 Filed 10-20-71;8:45 am]

[New Mexico 14396]

NEW MEXICO

Notice of Proposed Withdrawal and Reservation of Lands

OCTOBER 15, 1971.

The Forest Service, U.S. Department of Agriculture, has filed application New Mexico 14396 for the withdrawal of the land described below. The land was conveyed to the United States pursuant to section 8 of the Taylor Grazing Act. It lies within the exterior boundaries of the Santa Fe National Forest. It has not been open to the public land laws. The applicant desires the land for the addition to, and the consolidation with national forests lands to permit more efficient administration thereof in the conservation of natural resources.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Chief, Division of Technical Services, Post Office Box 1449, Santa Fe, NM 87501.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

He will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

NEW MEXICO PRINCIPAL MERIDIAN

SANTA FE NATIONAL FOREST
CANON DE SAN DIEGO GRANT

That portion of the Canon de San Diego grant, situate in township 19 north, range 2 east of the New Mexico principal base and meridian, known in the office of the United States Surveyor General as Report No. 25, confirmed by the Congress of the United States of America, on the 21st day of June 1861 and patented by the United States of America in accordance with said Act of Confirmation on the 21st day of October 1881, recorded in vol. 17, pages 209 through 218 inclusive, in the records of the General Land Office in Washington, D.C., said tracts of land being more particularly described as follows:

Parcel C

That portion of parcel C, Rio Cebolla Canyon as prepared by Robert K. Walsh, NMLS No. 2127, under date of July 19, 1966, more particularly described as follows:

Beginning at the most southerly corner of the parcel herein described, whence the 5-mile corner on the northerly boundary of the Canon de San Diego grant bears N. 46°05'45" E., 9,481.42 feet distance, thence, N. 81°30'00" W., 3,232.09 feet distance to a point; thence, N. 50°00'00" W., 5,667.82 feet distance to the most westerly corner of the parcel herein described; thence, N. 41°00'00" E., 590.00 feet distance to a point; thence, S. 37°25'27" E., 291.74 feet distance to a point; thence, S. 64°17'48" E., 874.31 feet distance to a point; thence, N. 33°52'09" E., 1,570.25 feet distance to a point; thence, N. 77°47'22" E., 370.00 feet distance to the most northerly corner of the parcel herein described; thence, S. 38°30'00" E, 4,550.00 feet distance to a point; thence, S. 80°45'00" E., 1,812.29 feet distance to a point; thence, S. 38°00'00" E., 1,234.03 feet distance to the most easterly corner of the parcel herein described; thence, S. 49°21'12" W., 285.00 feet distance to a point; thence, S. 33°20'04" W., 391.55 feet distance to the most southerly corner and place of beginning of the parcel herein described, and containing 334.289 acres, more or less.

Parcel D

That portion of parcel D, Rio Cebolla Canyon, as prepared by Robert K. Walsh, NMLS No. 2127, under date of July 20, 1966 and more particularly described as follows:

Beginning at a point which is the gate on the Fenton feeding area and located S. 52°45'56" W., 5,465.37 feet from the 5½-mile corner on the north boundary of the Canon de San Diego grant; thence S. 35°28'30" E., 1,188.15 feet; thence S. 28°36'29" W., 1,679.21 feet; thence N. 80°45'00" W., 1,812.29 feet; thence N. 31°51'02" E., 733.80 feet, to corner E of the Nevitt tract; thence along the southeast side of the Nevitt tract N. 46°30'-30" E.,.1,268.52 feet to corner F of the Nevitt tract and thence N. 42°22'10" E., 888.00 feet to the point of beginning at the gate in the Fenton feeding area and containing 74.33 acres, more or less.

The areas described aggregate 408.619 acres.

C. R. DUNNELL,
Acting Chief,
Division of Technical Services.

[FR Doc.71-15319 Filed 10-20-71;8:48 am]

[Montana 15333]

MONTANA

Opening of Land Formerly in Projects 574 and 590

OCTOBER 7, 1971.

1. In an order issued August 24, 1971, the Federal Power Commission vacated the withdrawals created pursuant to the filing of applications for license for Project Nos. 574 and 590, for the following described lands:

PRINCIPAL MERIDIAN, MONTANA

T. 31 N., R. 34 W.,
Sec. 20, S½NE¼ and N½S½;
Sec. 21, SE¼NE¼, SW¼NW¼, and N½S½;
Sec. 22, SW¼NE¼, NE¼SW¼, and N½SE¼;
Sec. 23, NE¼NE¼NE¼, S½NE¼NE¼, SW¼NE¼, S½SE¼NW¼, and NW¼SW¼;
Sec. 24, NW¼NW¼NW¼.

2. The areas described aggregate 780 acres of national forest lands in Lincoln County.

By virtue of the authority contained in section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended, and pursuant to the authority delegated to me by Bureau Order No. 701 of July 23, 1964, as amended, it is ordered as follows:

3. The above described lands, insofar as they are withdrawn and reserved for power purposes, are hereby restored to disposition under applicable public land laws from the withdrawals for Projects 574 and 590, subject to valid existing rights and the provisions of existing withdrawals.

4. The State of Montana has waived the right of selection in accordance with the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended.

5. Beginning at 10 a.m. on November 18, 1971, the land shall be open to such forms of disposition as may by law be made of such land.

6. The lands have been open to applications and offers under the mineral leasing laws and to location under the U.S. mining laws subject to the provisions of the Act of August 11, 1955 (69 Stat. 682; 30 U.S.C. 621).

7. Inquiries concerning the land should be addressed to the Chief, Branch of Lands and Minerals Operations, Bureau of Land Management, 316 North 26th Street, Billings, MT 59101.

ROLAND F. LEE,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.71-15288 Filed 10-20-71;8:45 am]

DEPARTMENT OF AGRICULTURE

Packers and Stockyards Administration

ATHENS STOCKYARD, ATHENS, ALA., ET AL.

Proposed Posting of Stockyards

The Chief, Registrations, Bonds, and Reports Branch, Packers and Stockyards Administration, U.S. Department of Agriculture, has information that the livestock markets named below are stockyards as defined in section 302 of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 202), and should be made subject to the provisions of the Act.

Athens Stockyard, Athens, Ala.
Carroll Livestock Sales, Carroll, Iowa
Council Bluffs Livestock Exchange, Inc., Council Bluffs, Iowa
Herbold Livestock Auction, Kingsley, Iowa
Central Mississippi Livestock Commission Co., Carthage, Miss.
Cow Palace Commission Co., Inc., Cleburne, Tex.

Notice is hereby given, therefore, that the said Chief, pursuant to authority delegated under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), proposes to issue a rule designating the stockyards named above as posted stockyards subject to the provisions of the Act as provided in section 302 thereof.

Any person who wishes to submit written data, views, or arguments concerning the proposed rule, may do so by filing them with the Chief, Registrations, Bonds, and Reports Branch, Packers and Stockyards Administration, U.S. Department of Agriculture, Washington, D.C. 20250, within 15 days after publication in the FEDERAL REGISTER.

All written submissions made pursuant to this notice shall be made available for public inspection at such times and places in a manner convenient to the public business (7 U.S.C. 1.27(b)).

Done at Washington, D.C., this 14th day of October 1971.

EDWARD L. THOMPSON,
Acting Chief, Registrations, Bonds, and Reports Branch, Livestock Marketing Division.

[FR Doc.71-15325 Filed 10-20-71;8:49 am]

DEPARTMENT OF COMMERCE

Office of Import Programs

ROCKEFELLER UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71-00569-00-46040. Applicant: The Rockefeller University, York Avenue and 66th Street, New York, NY 10021. Article: Anticontamination device. Manufacturer: Siemens AG, West Germany.

Intended use of article: The article is an accessory for an existing Elmiskop electron microscope used for research and educational purposes.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The application relates to an accessory for an instrument that had been previously imported for the use of the applicant institution. The article is being furnished by the manufacturer which produced the instrument with which the article is intended to be used.

The Department of Commerce knows of no similar accessory being manufactured in the United States, which is interchangeable with or can be readily adapted to the instrument with which the foreign article is intended to be used.

SETH M. BODNER,
Director, Office of Import Programs.

OCTOBER 12, 1971.

[FR Doc.71-15323 Filed 10-20-71;8:49 am]

UNIVERSITY OF CHICAGO

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71-00174-01-11000. Applicant: University of Chicago, Operator of Argonne National Laboratory, 9700 South Cass Avenue, Argonne, IL 60439. Article: Gas chromatograph, Model 8022. Manufacturer: AMBAC Industries, Inc., Holland. Intended use of article: The article will be used as an analytical tool to trace impurities occurring in gases which are used as environments during growth of high-purity crystals. The gases to be analyzed will include the inert gases, nitrogen, and several corrosive gases such as hydrogen chloride and chlorine. The impurities to be determined will be O_2, CO_2, CO, CH_4, H_2 as well as other low molecular weight inorganic and organic molecules.

Comments: Comments dated October 23, 1970 were received from Beckman Instruments, Inc. (Beckman), which alleged inter alia that the gas chromatograph offered by Beckman will meet or exceed any and all performance specifications of the foreign article.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended

to be used, is being manufactured in the United States.

Reasons: The foreign article is equipped with special components to handle all corrosive gases and has both high sensitivity for the analysis of trace amounts of less than 0.1 percent of gases in a mixture of gases and a large dynamic range for mixtures of components of over 0.2 percent. (1) The gas chromatograph manufactured by Beckman has some components that would be attacked by hydrogen chloride which is one of the corrosive gases that the applicant intends to analyze. (2) The Model MC–2 gas chromatograph manufactured by Chemalytics Corp. (Chemalytics) is designed to be capable of handling corrosive gases, but does not have a detector sufficiently sensitive for the applicant's intended purposes. We are advised by the National Bureau of Standards in its memorandum dated January 18, 1971, that the characteristics of the foreign article described above are pertinent to the applicant's research studies and, further, that it knows of no domestically manufactured gas chromatograph that provides the combination of sensitivity and capacity for handling corrosive gases that is provided by the foreign article.

For the foregoing reasons, we find that neither the Beckman nor the Chemalytics Model MC–2 gas chromatograph is of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

SETH M. BODNER,
Director,
Office of Import Programs.

[FR Doc.71–15321 Filed 10–20–71;8:48 am]

UNIVERSITY OF PENNSYLVANIA

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71–00567–00–46040. Applicant: University of Pennsylvania, Administrative Officers, Philadelphia, Pa. 19104. Article: External HV Measuring Divider and Interference Voltage Suppression. Manufacturer: Siemens AG, West Germany. Intended use of article: These accessories will be used to update an existing Elmiskop electron microscope.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The application relates to accessories for an instrument that had been previously imported for the use of the applicant institution. The article is being furnished by the manufacturer which produced the instrument with which the article is intended to be used.

The Department of Commerce knows of no similar accessories being manufactured in the United States, which is interchangeable with or can be readily adapted to the instrument with which the foreign article is intended to be used.

SETH M. BODNER,
Director,
Office of Import Programs.

[FR Doc.71–15322 Filed 10–20–71;8:49 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[FDC–D–382]

S. E. MASSENGILL CO.

Drug Product Containing Neomycin, Polymyxin B Sulfate, and Urea; Notice of Drug Deemed Adulterated

An announcement concerning the product Bolmed, was published in the FEDERAL REGISTER of July 21, 1970 (35 F.R. 11649, DESI 8–2NV). The announcement set forth the findings of the Food and Drug Administration following evaluation of a report received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, that said product is probably not effective for the prophylaxis and treatment of intrauterine infections.

Said announcement informed the manufacturer and all interested persons that such drug to be marketed must be the subject of an approved new animal drug application. The S. E. Massengill Co., veterinary division, Bristol, Tenn. 37620 did not submit a new animal drug application for said product. In their response to the announcement, the manufacturer of said drug stated that the product was discontinued.

Based on the foregoing, and on the information before him, the Commissioner of Food and Drugs concludes that the above named drug is adulterated within the meaning of section 501(a) (5) of the Federal Food, Drug, and Cosmetic Act, in that it is not the subject of an approved new animal drug application pursuant to section 512 of the act. Therefore, notice is given to The S. E. Massengill Co., and to all interested persons, that all stocks of said drugs within the jurisdiction of the act are deemed adulterated within the meaning of the act and are subject to appropriate regulatory action.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 501(a)(5), 512, 52 Stat. 1049, as amended, 82 Stat. 343–51; 21 U.S.C. 351(a)(5), 360b) and under the authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: October 7, 1971.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.71–15336 Filed 10–20–71;8:50 am]

[FDC–D–381]

PROCAINE PENICILLIN PREMIX

Notice of Drug Deemed Adulterated

An announcement concerning procaine penicillin premixes was published in the FEDERAL REGISTER of July 17, 1970 (35 F.R. 11533, DESI 0072NV). The announcement set forth the findings of the Food and Drug Administration following evaluation of a report received from the National Academy of Sciences—National Research Council, Drug Efficacy Study Group, that the drug Pro-Pen "20–S" is probably effective "for increased rate of weight gain and improved feed efficiency" (under appropriate conditions of use).

Said announcement informed the manufacturer of the above-listed drug, did not such drug to be marketed must be the subject of an approved new animal drug application. Merck Sharp & Dohme Research Laboratories, Division of Merck & Co., Inc., Rahway, N.J. 07065, manufacturer of the above listed drug, did not submit a new animal drug application for the above named drug. In their response, the manufacturer stated that the product has been deleted from their product line.

Based on the foregoing, and on the information before him, the Commissioner of Food and Drugs concludes that the above named drug is adulterated within the meaning of section 501(a) (5) or (6) of the Federal Food, Drug, and Cosmetic Act, in that it is not the subject of an approved new animal drug application pursuant to section 512 of the act. Therefore, notice is given to Merck Sharp & Dohme Research Laboratories, and to all interested persons, that all stocks of Pro-Pen "20–S" for use in animal feeds and all animal feeds bearing or containing this product within the jurisdiction of the act are deemed adulterated within the meaning of the act and are subject to appropriate regulatory action.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 501(a) (5), (6), 512, 52 Stat. 1049, as amended, 82 Stat. 343–51; 21 U.S.C. 351(a) (5) and (6), 360b) and under the authority delegated to the Commissioner (21 CFR 2.120).

Dated: October 7, 1971.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.71–15335 Filed 10–20–71;8:50 am]

ATOMIC ENERGY COMMISSION

[Dockets Nos. 50-404; 50-405]

VIRGINIA ELECTRIC AND POWER CO.

Notice of Receipt of Application for Construction Permits and Facility Licenses; Time for Submission of Views on Antitrust Matters

The Virginia Electric and Power Co., 700 East Franklin Street, Richmond, VA 23209, pursuant to section 103 of the Atomic Energy Act of 1954, as amended, has filed an application, dated September 15, 1971, for authorization to construct and operate two additional nuclear reactors, designated as the North Anna Power Station Units No. 3 and No. 4, on the applicant's site in Louisa County, Va.

The site is located south of the North Anna River, approximately 24 miles southwest of Fredericksburg, 40 miles north-northwest of Richmond, Va., and 38 miles east of Charlottesville, Va. The reactors will be located adjacent to North Anna Power Station Units No. 1 and No. 2 on a peninsula in a reservoir that is to be formed when an earthen dam is constructed approximately 5 miles southeast of the site.

The proposed nuclear powerplant will consist of two pressurized water reactors, each of which is designed for initial operation at approximately 2,631 thermal megawatts with a gross electrical output of approximately 950 megawatts.

Any person who wishes to have his views on the antitrust aspects of the application presented to the Attorney General for consideration shall submit such views to the Commission within sixty (60) days after October 21, 1971.

A copy of the application is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC, and at the Office of the Board of Supervisors, Louisa County Courthouse, Louisa, Va. 23093.

Dated at Bethesda, Md., this 5th day of October 1971.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director,
Division of Reactor Licensing.

[FR Doc.71-14808 Filed 10-20-71;8:45 am]

[Docket No. 50-322]

LONG ISLAND LIGHTING CO.

Order of the Board Concerning Schedule for Hearing

In the matter of Long Island Lighting Co., Shoreham Nuclear Power Station.

By letter dated October 6, 1971 intervenor, The Lloyd Harbor Study Group, Inc., requested a 60-day postponement of the hearing originally scheduled to reopen on Tuesday, November 2, 1971. In its submission The Study Group referenced a letter dated September 3, 1971, from it to the Board. The correct date of this correspondence was September 15, 1971.

With respect to The Study Group's request of October 6, 1971 and the replies received, based upon its review of these submissions the Board considers that the parties have had ample time to prepare for the scheduled session noting, in particular, that they have had the Staff's reevaluation of the ECCS since August 18, 1971. Moreover, all of the intervenors will be afforded additional time to offer direct testimony in written form if they subsequently determine to do so. Therefore the request for a 60-day postponement is denied.

However, since Tuesday, November 2, 1971 is an Election Day, for the convenience of the public the schedule for the reopened hearing is being changed to Wednesday, November 3, 1971.

The undersigned has communicated with Francis X. Wallace, Esq., the New York State hearing examiner, and the November 3, 1971 date for reopening is compatible with the State hearing schedule.

The hearing will be reopened on Wednesday, November 3, 1971, at 10 a.m., local time, in the Conference Room at the Wagon Wheel, Route 112, Port Jefferson Station, N.Y. 11776. The agenda for this session will be limited to coverage of emergency core cooling system matters.

For the Atomic Safety and Licensing Board.

Dated at Washington D.C., this 15th day of October 1971.

JAMES R. YORE,
Chairman.

[FR Doc.71-15304 Filed 10-20-71;8:47 am]

[Docket No. 50-87]

WESTINGHOUSE ELECTRIC CORP.

Notice of Proposed Issuance of Construction Permit and Facility License

The Atomic Energy Commission (the Commission) is considering the issuance of a construction permit and subsequently a facility license to the Westinghouse Electric Corp. of Pittsburgh, Pa. Westinghouse presently possesses a critical experiment facility (designated as the Critical Experiment Station facility) at Waltz Mill, Pa., which was authorized for operation at power levels up to 10 kilowatts (thermal) under facility license No. CX-11. By a Commission order dated February 12, 1971, Westinghouse was authorized to dismantle the Waltz Mill facility in preparation for transfer of some of its component parts and fuel to a new site in Zion, Ill.

The proposed construction permit would authorize Westinghouse to construct a research and training facility at Zion, Ill., utilizing some of the components and fuel from the dismantled Critical Experiment Station facility, in accordance with the permit and the procedures described in Westinghouse's application dated September 24, 1970, and amendments thereto dated December 18, 1970, January 29, 1971, February 11, 1971, and March 5, 1971. The permit would also authorize Westinghouse to transfer, possess and store at Zion, Ill., the special nuclear and byproduct materials contained in the fuel elements, sealed sources, and reactor components being transferred for subsequent use in connection with operation of the facility at Zion. Westinghouse proposes to operate the new facility (designated as the "Nuclear Training Reactor"—NTR) in support of its nuclear energy system's reactor program for reactor operator training, and will operate it at power levels up to 10 kilowatts (thermal).

The Commission has found that the application for construction permit complies with the requirements of the Atomic Energy Act of 1954, as amended (hereinafter the Act), and the Commission's regulations published in 10 CFR Chapter I. The construction permit will not be issued until the Commission has made the remainder of the findings required by the Act and the Commission's regulations which are set forth in the proposed permit.

Upon completion of the construction of the facility at Zion, Ill., in compliance with the terms and conditions of the construction permit and the application, as amended, and in the absence of good cause to the contrary, the Commission will issue to Westinghouse (without prior notice) a class 104c facility license authorizing operation of the NTR at power levels up to 10 kilowatts (thermal) since the application is complete enough to permit evaluation of the safety of the operation of the facility in the manner and location proposed. Prior to the issuance of the license, the facility will be inspected by a representative of the Commission to determine whether it has been constructed in accordance with the application and the provisions of the construction permit. The license will not be issued until the Commission makes the findings required by the Act and the Commission's regulations which are set forth in the proposed license, and concludes that the issuance of the license will not be inimical to the common defense and security or to the health and safety of the public. In addition, Westinghouse will be required to execute an amended indemnity agreement as required by section 170 of the Act and by 10 CFR Part 140 of the Commission's regulations.

Within 15 days from the date of publication of this notice in the FEDERAL REGISTER, the applicant may file a request for a hearing and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the Commission's "Rules of Practice" in 10 CFR Part 2. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to these actions, see (1) Westinghouse's application dated September 24, 1970, and

amendments thereto dated December 18, 1970, January 29, 1971, February 11, 1971, and March 5, 1971, (2) the proposed construction permit and facility license, including the technical specifications, and (3) a related safety evaluation by the Division of Reactor Licensing, all of which are available for public inspection at the Commission's Public Document Room at 1717 H Street NW., Washington, DC. A copy of each of items (2) and (3) above may be obtained upon request sent to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 13th day of October 1971.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
Assistant Director for Reactor Operations, Division of Reactor Licensing.

[FR Doc.71-15405 Filed 10-20-71;8:53 am]

CIVIL AERONAUTICS BOARD

[Docket No. 23860; Order 71-10-64]

NATIONAL AIRLINES, INC.

Order Dismissing Complaint

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 15th day of October 1971.

By tariff [1] marked to become effective October 31, 1971, National Airlines, Inc. (National), proposes to establish round-trip individual inclusive tour fares from Boston, Providence, and New York to Orlando, Melbourne, and Tampa and return. The fares are $129.63 from Boston and Providence and $120.37 from New York during the period December 16, 1971 through April 15, 1972; and $97.22 from all points from October 31 through December 15, 1971, and April 16, 1972 through September 30, 1972. The discounts from regular round-trip coach fares range from 16 to 21 percent in the peak period and from 32 to 41 percent in the off-peak period. There is a two-night minimum and four-night maximum stay restriction, and the tour add-on must be at least $15. The tariff is marked to expire September 30, 1972.[2]

In support of its proposal, National asserts that it is meeting competitive group fares established by Eastern Air Lines, Inc. (Eastern), from points in the Northeast to the Disney World area, but on an individual basis. National alleges that blocking large numbers of seats by travel agents results in the most popular flights being full and prevents normal-fare-paying passengers from being able to obtain space on choice flights. On the other hand, individual tour basing fares permit passengers to travel on any flight, thereby allegedly providing more even load factors on all flights. The carrier also alleges that past experience has shown that group-fare passengers are as costly to handle as individual-fare-paying passengers, and that individual tour basing fares generate more new traffic.

Eastern has filed a complaint against National's proposal requesting its suspension and investigation.[3] Eastern alleges that National is not meeting the competitive group fares which it originally filed, but is going far beyond inasmuch as there is no limitation of the fare's applicability to groups of 20 or more passengers; there is no charge for voluntary cancellations within 14 days of departure; and there is a novel tour conductor provision. Eastern further contends that the distinction between group and individual travel is critical, and that the more liberal provisions of National's tariff will result in substantial diversion of regular fare traffic.

Upon consideration of all relevant matters, the Board finds that the complaint does not set forth sufficient facts to warrant investigation of the proposal and the request therefor, and consequently the request for suspension will be denied and the complaint dismissed. The fares and the restrictions on their use are quite similar to existing promotional fares in the Florida market, and the discounts are within the range of comparable fares in this and other markets. The fact that the fares are set at the level of group inclusive tour fares which the Board recently permitted to become effective in this market does not per se establish that they are unreasonable, in our opinion.

We note that individual tour basing fares and individual excursion fares are already available in these markets at levels not substantially different from the fares here proposed. As we have stated previously, we have considerable doubt as to the need for so many fares in developing an increased traffic base. In any event, we will expect the carriers offering these fares to bear the risk of the promotional experiment, and we do not intend to treat any dilution of fare yield which may result as furnishing a basis for future increases in the level of basic fares. We will also expect the carriers to maintain records of traffic, revenues, and expenses, sufficient for a full evaluation of the profit impact of this fare plan.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a), 403, 404, and 1002 thereof,

It is ordered, That:

1. The complaint of Eastern Air Lines, Inc., in Docket 23860 is hereby dismissed; and

2. A copy of this order be served upon Eastern Air Lines, Inc., and National Airlines, Inc.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.71-15346 Filed 10-20-71;8:51 am]

[Docket No. 23538]

IMPERIAL AIR FREIGHT SERVICE, INC.

Increased Excess Value Charges; Notice of Postponement of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding has been postponed from November 2, 1971, to December 21, 1971, at 10 a.m. (local time) in Room 805, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned.

For information concerning the issues involved and other details in this proceeding, interested persons are referred to the prehearing conference report and other documents which are in the docket of this proceeding on file in the docket section of the Civil Aeronautics Board.

Dated at Washington, D.C., October 18, 1971.

[SEAL] RICHARD M. HARTSOCK,
Hearing Examiner.

[FR Doc.71-15351 Filed 10-20-71;8:51 am]

DELAWARE RIVER BASIN COMMISSION

ENVIRONMENTAL IMPACT STATEMENTS

Guidelines for Preparation

On July 2, 1971, the Commission issued a notice of public hearing on proposed amendments to its rules of practice and procedure relating to the preparation of environmental impact statements for certain types of projects subject to Commission review (36 F.R. 13052, July 13, 1971). Public hearing on the proposed amendments was held on July 28, 1971, in Philadelphia. The Commission has considered the testimony received and many suggestions were incorporated in the final text of the amendments adopted by the Commission on September 30, 1971. Text of the final amendment as adopted is shown as follows:

1. Section 2-3.5.2 of the rules of practice and procedure is amended to read as follows:

2-3.5.2. ENVIRONMENTAL STATEMENTS

(a) Not later than the completion of preliminary engineering or feasibility studies, the applicant for a project within any of the following classifications shall submit, in compliance with the provisions of the National Environmental Policy Act (Public Law

[1] National Airlines, Inc., Tariff CAB No. 145.

[2] The tariff also provides discounts for children accompanied by an adult. The issue of the lawfulness per se of discounts for accompanying family members is included in Phase 5 of the "Domestic Passenger-Fare Investigation," Docket 21866-5. In the event that the Board there concludes that such fares are unjustly discriminatory, the Board would take appropriate action looking toward the cancellation of such discounts embraced in the instant filing. Accordingly, our determination not to institute an investigation of these fares should not be construed as any prejudgment of the issues in Docket 21866-5.

[3] Eastern has filed a defensive tariff.

91–190), an environmental report, together with and as part of the application:

(1) Impoundments having storage capacity in excess of 100 million gallons;

(2) Diversion of water from one sub-basin to another or into or out of the basin in excess of an average of 1 million gallons per day during any calendar month;

(3) Electric generating stations of all types having an installed capacity in excess of 100,000 kilowatts;

(4) Electric transmission or bulk power system lines and appurtenances, or highways affecting any aspect of the comprehensive plan and which are not excluded by section 2–3.5(a) of the rules of practice and procedure;

(5) Draining or filling or otherwise altering marshes or wetlands when the area affected exceeds 25 acres;

(6) Stream channelization projects when the proposed action would have a significant environmental impact; and

(7) Any other project which the Executive Director, in his discretion, determines is a major action which may have a significant environmental impact.

(b) An environmental report shall state in reasonable detail the following:

(1) A description of the proposed action, including such information as is otherwise required by the rules;

(2) The probable environmental impact of the proposed action, including its impact on ecology of wildlife, fish and other marine life, without limitation thereto; an estimate of the effect of the proposed action on population characteristics; an assessment of the effect, if any, upon the resource base, including land use, water and public services;

(3) Any adverse environmental effects which cannot be avoided;

(4) All alternatives to the proposed action that have been considered;

(5) An evaluation of the project in relation to short-term use of man's environment and the maintenance and enhancement of long-term productivity;

(6) Any commitments of natural resources involved in the proposed action, including identification of those resources that would be irreversibly and irretrievably committed; and

(7) An estimate of the effect of the proposed action on the economy, including employment, and a balanced analysis of the economic costs and benefits, whenever the Executive Director determines that such estimate or analysis is necessary for a proper review of the project.

(c) The Executive Director shall prepare a draft environmental statement based upon the applicant's environmental report and staff analysis of the proposed action.

(d) The Executive Director shall distribute the draft environmental statement to the Council on Environmental Quality and other interested public and private agencies and organizations and invite their comments. Such comments may be submitted within 45 days thereafter.

(e) The Executive Director shall schedule each draft environmental statement for a public hearing by the Commission. Notice of hearing shall be published in accordance with the Administrative Manual, and shall include notice of availability of the draft environmental statement for public inspection. The hearing shall be held not less than 15 days after the draft environmental statement has been made available to the public.

(f) Following receipt of comments on the draft environmental statement and public hearing, the Executive Director shall prepare a final environmental statement and forward it to the Council on Environmental Quality and other agencies in accordance with the provisions of the Council's guidelines.

(g) All draft and final environmental statements, including comments received thereon, shall be available for public examination at the Commission's offices and such other offices as the Executive Director may designate.

(h) The Commission will act upon a project that is subject to the requirements of this section not less than 90 days after a draft environmental statement has been released for public comment and not less than 30 days after the final environmental statement has been forwarded to the Council on Environmental Quality. Each docket decision by the Commission will specifically include or refer to the environmental statement of any such project, and will make specific findings and conclusions with respect to the environmental effects of the project.

(i) In the event of emergency circumstances as provided for in section 2–3.9 of these rules, the Executive Director will consult with the Council on Environmental Quality with respect to waiver, suspension, or deferment of the requirements of this section.

(j) In the case of projects the Commission may construct or sponsor, an environmental statement shall be prepared by the Executive Director and submitted to the Commission, and the environmental statement shall be processed in accordance with the Council on Environmental Quality guidelines.

(k) When any project listed in section (a) hereof is subject to the requirement of an environmental impact statement to be prepared by another Federal agency, the Executive Director will consult with such agency and establish appropriate lead agency arrangements that will meet the requirements of the National Environmental Policy Act to avoid duplication.

2. Section 2–3.5(a) of the rules of practice and procedure is amended by the addition thereto of a new section (15) to read as follows:

(15) Draining, filling, or otherwise altering marshes or wetlands when the area affected is less than 25 acres.

3. Section 2–3.5(b) of the rules of practice and procedure is amended by the addition thereto of a new section (13) to read as follows:

(13) Draining, filling or otherwise altering marshes or wetlands.

W. BRINTON WHITALL,
Secretary.

[FR Doc.71–15292 Filed 10–20–71;8:46 am]

ENVIRONMENTAL PROTECTION AGENCY

FMC CORP.

Notice of Withdrawal of Petition Regarding Pesticide Chemical

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408 (d)(1), 68 Stat. 512; 21 U.S.C. 346a (d)(1)), the following notice is issued:

In accordance with § 420.8 *Withdrawal of petitions without prejudice* of the pesticide procedural regulations (21 CFR 420.8), FMC Corp., 100 Niagara Street, Middleport, NY 14105, has withdrawn its petition (PP 1F1072), notice of which was published in the FEDERAL REGISTER of February 17, 1971 (36 F.R. 3086), proposing establishment of tolerances (21 CFR Part 420) for negligible residues of the fungicide dichlone in or on the raw agricultural commodities almonds and pears at 0.1 part per million.

Dated October 14, 1971.

WILLIAM M. UPHOLT,
Deputy Assistant Administrator for Pesticides Programs.

[FR Doc.71–15286 Filed 10–20–71;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 19319; FCC 71-976]

ALCO TELEPHONE ANSWERING SERVICE

Memorandum Opinion and Order Designating Application for Hearing on Stated Issues

In the matter of application of ALCO Telephone Answering Service of Greenville, Miss., Inc. for a license for a new public coast class III–B radiotelephone station to be located at Greenville, Miss.; Docket No. 19319, File No. 892–M–L–80.

1. The above-captioned application seeks a license for a new class III–B public coast station to be located at Greenville, Miss. This class of station provides ship-shore radiotelephone common carrier service, primarily of a local character, on VHF channels. The applicant seeks authority to serve the Greenville, Miss. area.

2. Com/Nav Electronics, Inc. (hereinafter called Com/Nav), has filed a petition to deny the subject application alleging inter alia unnecessary duplication of service with its existing station, KFT286, in Greenville, Miss. and a lack of financial qualifications on the part of ALCO to be a Commission licensee. The applicant has filed an opposition to the petition to deny alleging, as it did in an exhibit to the opposition, that the proposed radio facilities are needed as the existing licensee (COM/NAV) is not adequately serving the need of the public.

3. Except for the issues otherwise specified herein, the applicant is qualified to become a licensee of the Commission. On the basis of its status as the licensee of KFT286 and KFT302, COM/NAV is found to be a party in interest. The Safety and Special Radio Services Bureau and the Common Carrier Bureau of the Federal Communications Commission are parties to this proceeding.

4. It is evident from an analysis of the application and pleadings that overlap in service area will exist if the ALCO Telephone Answering Service of Greenville, Miss., Inc. (hereinafter called ALCO) application is granted. In addition, the application and associated pleadings do not conclusively establish whether ALCO is financially qualified to be a Commission licensee or whether, or to what extent, there is now an unfilled need for public radio maritime communi-

cation service facilities to serve the area here involved. In view of these substantial and material questions of fact, the Commission is unable to make a determination that it would be in the public interest to grant the application; therefore, an evidentiary hearing is required to resolve the questions of fact and to determine if the public interest would be served by the grant of this application.

5. *Accordingly, it is ordered,* That the above-captioned application of ALCO Telephone Answering Service of Greenville, Miss., Inc., is designated for hearing at a time and place to be specified in a subsequent order on the following issues:

a. To determine the facts with respect to the proposed facility, rates, and services of the applicant, including area to be served.

b. To determine the nature, source, and amount of traffic to be handled by the proposed facilities.

c. To determine whether overlap of the service area of KFT286 would be contrary to the public interest.

d. To determine if there is a need for the proposed facility, taking into account whether COM/NAV is adequately serving the needs of the public.

e. To determine whether ALCO is financially qualified to construct and operate its proposed station at Greenville, Miss.

f. To determine, in light of the evidence adduced on all the foregoing issues, whether the public interest, convenience, and necessity will be served by the grant of the subject application.

6. *It is further ordered,* That the petition to deny, filed by COM/NAV, is granted to the extent indicated herein and is otherwise denied.

7. *It is further ordered,* That coverage areas will be computed on the basis of the information in the Commission's notice of proposed rule making, Docket No. 18944.

8. *It is further ordered,* That the burden of proof and the burden of proceeding with the introduction of evidence on issue (c) is on COM/NAV Co., and on the applicant with respect to all other issues except issue (e) which is conclusory.

9. *It is further ordered,* That to avail themselves of an opportunity to be heard, ALCO and COM/NAV, pursuant to § 1.221(c) of the rules of the Commission, in person or by attorney, shall within 20 days of the mailing of this order, file with the Commission in triplicate a written appearance stating an intention to appear on the date set for hearing and present evidence on the issues specified in this order.

Adopted: September 24, 1971.

Released: October 5, 1971.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc.71-15341 Filed 10-20-71;8:50 am]

FEDERAL MARITIME COMMISSION

PUERTO RICO PORTS AUTHORITY AND CARIBE HYDRO-TRAILER, INC.

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1015; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Mr. Robert A. Peavy, Morgan, Lewis & Bockius, Counselors at Law, 1140 Connecticut Avenue NW., Washington, DC 20036.

Agreement No. T-2567, between the Puerto Rico Ports Authority (Authority) and Caribe Hydro-Trailer, Inc. (CHT), provides for the preferential use by CHT of certain marine terminal facilities to be constructed by the Authority at Isla Grande, San Juan, P.R. As compensation, the Authority is to receive the unamortized balance of the cost of improvements upon the termination of the agreement; all harbor dues, wharfage charges, dockage, demurrage, and other charges assessed by the Authority against vessels and/or cargo; a minimum annual dockage and wharfage guarantee of $43,345; and a monthly rental of $2,750.

Dated: October 15, 1971.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.71-15340 Filed 10-20-71;8:51 am]

[1] Commissioner Johnson concurring in the result; Commissioners H. Rex Lee, Wells, and Houser absent.

FEDERAL POWER COMMISSION

[Dockets Nos. RI72-110, etc.]

AMERADA HESS CORP. ET AL.

Order Providing for Hearing [1]

OCTOBER 8, 1971.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth below.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders: (A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR, Chapter I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date suspended until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the respondent or by the Commission. Each respondent shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf* Rate in effect	Cents per Mcf* Proposed increased rate	Rate in effect subject to refund in docket number
RI72-110..	Amerada Hess Corp	2	7	El Paso Natural Gas Co	$166,469	9-13-71		3-14-72	14.2678	29.23	RI69-359.
	do	25	6		35,347	9-13-71		3-14-72	14.0	29.23	RI69-359.
	do	49	10	El Paso Natural Gas Co. (Ignacio Field, La Plata County, Colo.) (San Juan Basin).	227,745	9-13-71		3-14-72	15.0	29.23	RI69-390.
	do			El Paso Natural Gas Co. (San Juan Field, Rio Arriba County, N. Mex.) (San Juan Basin).	412,040	9-13-71		3-14-72	[1] 14.2678	29.23	RI69-359.
RI71-553..	Mobil Oil Corp	466	[2] 1 to 1	Southern Union Gathering Co. (Fulcher Kutz and Basin Dakota Fields, San Juan County, N. Mex., San Juan Basin).	(312)	9-10-71	12-10-71	[12] Accepted			RI71-553.
RI72-111..	Gibraltar Oil Co	3	3	El Paso Natural Gas Co. (Blanco Mesa Verde San Juan County, N. Mex.) (San Juan Basin).	4,932	9-13-71		11-14-71	[8] 14.0	[8] 15.2678	RI65-91.
RI72-112..	Chevron Oil Co	2	52	El Paso Natural Gas Co. (Red Wash Area, Unitah County, Utah).	148,124	9-16-71		11-17-71	17.3970	20.5154	RI70-1730.
RI72-113..	Anadarko Production Co	115	2	Natural Gas Pipe Line Co. of America (Indian Basin Area, Eddy County, N. Mex., Permian Basin).	104	9-10-71		11-11-71	[14] 16.603	[8] [14] 17.646	
RI72-114..	Getty Oil Co	109	3	Texas Gas Transmission Corp. (Calhoun Field, Lincoln Parish, Northern Louisiana).	12,735	9-15-71		11-16-71	[7] [8] 18.75	[7] [8] 20.25	
RI72-115..	Humble Oil & Refining Co.	278	8	Natural Gas P/L of America (Joiner City Field, Carter County, Okla. Other Area).	318	9-13-71		12- 2-71	[7] [14] 18.235	[7] [14] 19.30	RI71-1069.
RI72-116..	Skelly Oil Co	44	12	United Gas P/L Co. (Cotton Valley Unit, Webster Parish, Northern Louisiana).		9-10-71	9-10-71	[13] Accepted			
		44	13	do	6,326	9-10-71		9-11-71	[10] 14.07630	[11] 18.75	
RI72-117..	Sohio Petroleum Company.	35	16	Texas Eastern Transmission Corp. (Greenwood-Waskom Field, Caddo Parish, Northern Louisiana).	6	9-17-71		11-18-71	[8] 18.2622	[8] 18.4073	RI71-111.

* Unless otherwise stated, the pressure base is 15.025 p.s.i.a.
[1] Not applicable to acreage added by Supplements No. 3 and No. 8.
[2] Corrects filing of Dec. 9, 1970.
[3] Not used.
[4] Not used.
[5] Includes 1-cent minimum guarantee for liquids.
[6] Includes 0.640-cent upward B.t.u. adjustment for 1038 B.t.u. gas.
[7] Subject to downward B.t.u. adjustment.
[8] Includes 1.75-cents tax reimbursement.
[9] Not used.
[10] Includes 1-cent tax reimbursement.
[11] Applicable to gas produced from above the base of the Gray Sand Formation.
[12] Accepted, to become effective as of Dec. 10, 1970, subject to refund in the existing rate proceeding in Docket No. RI71-553.
[13] Accepted, to be effective on Sept. 10, 1971, the date of filing, with waiver of notice granted.
[14] The pressure base is 14.65 p.s.i.a.

Mobil Oil Corp. has advised that the tax reimbursement portion of a proposed rate increase filed on December 9, 1970, and currently being collected subject to refund in Docket No. RI71-553, incorrectly reflects partial reimbursement for the full 2.55 percent instead of the 0.55 percent increase in the New Mexico Emergency School Tax. Mobil has submitted a corrected filing, and proposes that it be made effective December 10, 1970, the date the original filing became effective subject to refund. Mobil also states that an adjustment for any overpayment by the buyer will be made. The corrected filing is accepted subject to the existing suspension proceeding in Docket No. RI71-553 to be effective as of December 10, 1970, and Mobil is required to file a refund report showing the amount of any overpayment refunded.

The proposed increases for sales to El Paso in San Juan Basin are based on favored-nation clauses which were allegedly activated by Aztec Oil & Gas Co.'s unilateral rate increase to 29.23 cents which became effective subject to refund in Docket No. RI71-744 on August 1, 1971. The purchaser, El Paso Natural Gas Co., is expected to protest these favored-nation increases, as it has previous similar filings, on the basis that they are not contractually authorized. In view of the contractual problem presented, the hearings herein shall concern themselves with the contractual basis for these favored-nation filings as well as the justness and reasonableness of the proposed increased rates. These proposed increases exceed the corresponding rate filing limitations imposed in Southern Louisiana and therefore are suspended for 5 months.

The increase of Chevron Oil Co. involved here also pertains to a sale outside Southern Louisiana but does not exceed the corresponding rate filing limitations imposed in Southern Louisiana. Therefore, it is suspended for 61 days from the date of filing, or 1 day from the contractual effective date, whichever is later, pursuant to Order No. 423.

The purchaser, United, has tracked the rate increase involved here of Skelly Oil Co. in its rate increase filing of November 13, 1970, which was suspended in Docket No. RP71-41. In these circumstances, good cause exists for waiving the 60-day notice period. The proposed increase is therefore suspended for 1 day from the date of filing.

Certain respondents request effective dates for which adequate notice has not been given. Good cause has not been shown for granting these requests and they are denied.

Each supplement listed in this appendix is effective as of the date provided in the "Date suspended until" column or such later date as may be authorized under Executive Order No. 11615. This order does not relieve any producer herein of any responsibility imposed by, and is expressly subject to, the Commission's Statement of Policy Implementing the Economic Stabilization Act of 1970 (Public Law 91-379, 84 Stat. 799, as amended by Public Law 92-15, 85 Stat. 38), including such amendments as the Commission may require, and Executive Order No. 11615.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR 2.56).

[FR Doc.71-15225 Filed 10-20-71;8:45 am]

[Dockets Nos. CP72-35, etc.]

ALGONQUIN SNG, INC., ET AL.

Notice Designating Proceeding

OCTOBER 14, 1971.

On October 6, 1971, an order was issued in Algonquin Gas Transmission Corp., Docket No. CP69-41 and Algonquin SNG, Inc., Docket No. CP72-35.

These proceedings were consolidated by said order and are hereinafter designated as Algonquin SNG, Inc., et al., Dockets Nos. CP72-35 et al.

KENNETH F. PLUMB,
Secretary.

[FR Doc.71-15352 Filed 10-20-71;8:51 am]

[Docket No. CP71-221]

ATLANTA GAS LIGHT CO.

Order Setting Matter for Hearing, and Prescribing Procedure

OCTOBER 14, 1971.

On March 16, 1971, Atlanta Gas Light Co. (Atlanta) filed a "Petition for Declaratory Jurisdictional Ruling" requesting an order from the Commission stating that the exempt status of Atlanta

would not be affected due to the construction and operation of facilities for service to the McCaysville area in Fannin County, Ga., which is adjacent to the Georgia-Tennessee border. Atlanta plans to provide natural gas service to McCaysville and, in particular, to an industrial customer, the Tennessee Copper Co. which is located just north of McCaysville.

A long standing dispute exists concerning the exact location of the Tennessee Copper Co. Petitioner states that part of the proposed service area and Tennessee Copper Co.'s plant are located in an area which is within Georgia, according to Georgia law, and within Tennessee, according to the law of Tennessee, making necessary the declaratory order requested by petitioner so as to avoid loss of its exemption under section 1(c) of the Natural Gas Act, should it proceed with construction of facilities and services within the area described. Both States agree that the actual border, separating the two, is the 35th parallel north latitude, whose exact location has never been established.

The proposed service will be on a interruptible basis for direct-fired application in refining copper and the pelletizing of iron ores, pursuant to a certificate issued by the Georgia Public Service Commission. It is estimated that Tennessee Copper Co.'s annual requirements will approximate 2.5 million Mcf per year.

Atlanta's petition was duly noticed on April 20, 1971.

The "Petition for Declaratory Jurisdictional Ruling" raises factual as well as legal issues indicating an evidentiary proceeding will be required.

The Commission finds:

(1) It is necessary and proper in the public interest to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing on the issues raised by the "Petition for Declaratory Jurisdictional Ruling."

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the disposition of this proceeding be expedited in accordance with the procedures set forth below.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act, a public hearing shall be held commencing November 15, 1971, at 10 a.m., e.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, DC 20426, concerning Atlanta's Petition for Declaratory Jurisdictional Ruling. The hearing shall begin with admission into the record of Atlanta's direct case, subject to appropriate motions, followed by cross-examination of Atlanta's witnesses.

(B) On or before November 1, 1971, Atlanta shall prepare and file with the Commission, and serve on the Presiding Examiner and the Commission's staff, its direct testimony and exhibits in support of its petition. Atlanta's presentation shall include, but shall not be limited to, (1) an explanation of how all gas received by Tennessee Copper Co. will be consumed within the State of Georgia, (2) whether this strip of land surrounding Tennessee Copper Co. is considered Tennessee territory for the purposes of criminal laws, State tax laws, school districts, highways, etc., and whether the citizens of this territory consider themselves to be residents of Tennessee or Georgia, and (3) whether there is any plan for resolving the jurisdictional dispute between Georgia and Tennessee.

(C) A Presiding Examiner to be designated by the Chief Examiner for that purpose shall preside at the hearing in this proceeding pursuant to the Commission's rules of practice and procedure.

(D) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.71-15353 Filed 10-20-71;8:51 am]

[Docket No. RP72-6]

EL PASO NATURAL GAS CO.

Notice of Prehearing Conference

OCTOBER 12, 1971.

On September 27, 1971, El Paso Natural Gas Co. (El Paso) filed a motion requesting that a date be established for a prehearing conference. El Paso requests that the conference be convened no later than October 14, 1971. El Paso further requests that provision be made for the extension of the procedural dates prescribed by the order issued August 5, 1971, as amended by the notice issued September 15, 1971. The motion is supported by American Smelting and Refining Co., Kennecott Copper Corp., Arizona Public Service Co., Tucson Gas & Electric Co., El Paso Electric Co., Magma Copper Co., Phelps Dodge Corp., and Salt River Project Agricultural Improvement and Power District. Southwest Gas Corp. filed an answer in conditional support of the motion.

Upon consideration, notice is hereby given that a prehearing conference will be convened in the above-designated proceeding, at 10 a.m., e.d.t., on October 14, 1971, in a conference room of the Federal Power Commission, 441 G Street NW., Washington, DC 20426. The Presiding Examiner will fix such further procedural dates as he deems appropriate.

KENNETH F. PLUMB,
Secretary.

[FR Doc.71-15354 Filed 10-20-71;8:51 am]

[Docket No. CP72-76]

EL PASO NATURAL GAS CO.

Notice of Application

OCTOBER 14, 1971.

Take notice that on September 22, 1971, El Paso Natural Gas Co. (applicant), Post Office Box 1492, El Paso, TX 79978, filed in Docket No. CP72-76 an applicant pursuant to section 7(c) of the Natural Gas Act, as implemented by § 157.7(b) of the regulations under the said Act, for a certificate of public convenience and necessity authorizing the construction, during the calendar year 1972, and operation of certain natural gas facilities to enable applicant to take into its Southern Division pipeline system supplies of natural gas which will be purchased from producers in the general area of said system, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the purpose of this budget-type application is to augment its ability to act with reasonable dispatch in contracting for and connecting supplies of natural gas to its Southern Division System. The total cost of the facilities proposed herein will not exceed $4 million, with no single project costing in excess of $1 million. Applicant states that these costs will be financed initially through working capital as supplemented by short-term borrowing.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 2, 1971, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.71-15355 Filed 10-20-71;8:51 am]

[Docket No. CP72-77]

EL PASO NATURAL GAS CO.

Notice of Application

OCTOBER 14, 1971.

Take notice that on September 22, 1971, El Paso Natural Gas Co. (applicant), Post Office Box 1492, El Paso, TX

79978, filed in Docket No. CP72–77 an application pursuant to section 7(c) of the Natural Gas Act, as implemented by § 157.7(b) of the regulations under said Act, for a certificate of public convenience and necessity authorizing the construction, during the calendar year 1972, and operation of certain natural gas facilities to enable applicant to take into its Northwest Division pipeline system supplies of natural gas which will be purchased from producers in the general area of said system, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the purpose of this budget-type application is to augment its ability to act with reasonable dispatch in contracting for and connecting supplies of natural gas to its Northwest Division System. The total cost of the facilities proposed herein will not exceed $1 million, with no single project costing in excess of $250,000. Applicant states that these costs will be financed initially through working capital as supplemented by short-term borrowing.

Any person desiring to be heard or to make any protests with reference to said application should on or before November 2, 1971, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.71–15356 Filed 10–20–71;8:52 am]

[Docket No. RP72–32]

KANSAS-NEBRASKA NATURAL GAS CO.

Order Providing for Hearing, Suspending Proposed Revised Tariff Sheets and Providing for Hearing Procedures

OCTOBER 14, 1971.

Kansas-Nebraska Natural Gas Co. (K–N) on August 31, 1971, tendered for filing proposed changes in its FPC Gas Tariff.[1] The proposed changes would result in estimated increased jurisdictional revenues of $3,569,484 annually, based on sales for the 12 months ended April 30, 1971, as adjusted. The changes are proposed to become effective October 16, 1971.

K–N states that the proposed increase is necessary to recoup increased costs in several areas: (1) Costs related to recently completed major construction, increasing the capacity of K–N's Wyoming and western Nebraska system; (2) costs in connection with construction of gathering lines; (3) wage increases; (4) advance payments; and (5) capital costs, requiring an increase in overall rate of return to 9.23 percent. In addition to the proposed increased rates, the revised tariff would eliminate Rate Schedule CD–3 and increase penalties for unauthorized overruns of gas.

The rates proposed by K–N in this proceeding will supersede the rates established by the Stipulation and Agreement in Docket No. RP71–5, approved by Commission order issued April 29, 1971. Article II of that settlement provides a moratorium on rate increases effective prior to March 16, 1972, except for tracking increases in purchased gas cost.

K–N requests an extension of the tracking authority accorded by article III of the above-mentioned Stipulation and Agreement[2] beyond the settlement's termination date of March 16, 1972. We find it appropriate to extend K–N's right to track increases and decreases in purchased gas costs under the provisions of article III, but the duration of such authorization shall expire on March 16, 1973.

A review of the filing indicates that certain issues are raised therein which require development in an evidentiary proceeding. The proposed increased rates and charges have not been shown to be justified and may be unjust, unreasonable, unduly discriminatory, preferential, or otherwise unlawful.

The Commission finds:

(1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the rates and charges contained in K–N's FPC Gas Tariff, Second Revised Volume No. 1, and that the proposed tariff sheets listed above be suspended and the use thereof be deferred as herein provided.

(2) K–N's request for extension of the tracking privileges in article III of the Stipulation and Agreement approved by Commission order issued in Docket No. RP71–5 on April 29, 1971, should be granted, but shall be extended only to March 16, 1973.

(3) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the disposition of this proceeding be expedited in accordance with the procedures set forth below.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing should be held commencing at 10 a.m. on January 11, 1972, in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, DC 20426, concerning the lawfulness of the rates, charges, classifications, and services contained in K–N's FPC Gas Tariff, Second Revised Volume No. 1, as proposed to be amended.

(B) Pending such hearing and decision thereon, K–N's proposed revised tariff sheets listed in footnote 1 above are hereby suspended, and the use thereof is deferred until March 16, 1972, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) At the hearing on January 11, 1972, K–N's prepared testimony (statement P), together with its entire rate filing as submitted and served on August 31, 1971, be admitted to the record as K–N's complete case-in-chief, as provided by § 154.63(e)(1) of the Commission's regulations under the Natural Gas Act, and Order No. 254, 28 FPC 495, subject to appropriate motions, if any, by parties to the proceeding.

(D) Following the admission of K–N's complete case-in-chief, the parties shall proceed to effectuate the intent and purpose of § 2.59 of the Commission's rules of practice and procedure and of this order as set forth above.

(E) On or before February 18, 1972, the Commission Staff shall serve its prepared testimony and exhibits. The prepared testimony and exhibits of any and all intervenors shall be served on February 29, 1972. Any rebuttal evidence by K–N shall be served on or before March 14, 1972. Cross-examination of the evidence shall commence March 23, 1972. The Presiding Examiner, upon a showing of good cause, may grant such extensions of time as he deems appropriate.

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[1] First Revised Sheets Nos. 2, 7, 14, and 17; Second Revised Sheets Nos. 1, 6, 9, 13, and 16; Third Revised Sheets Nos. 5 and 12; and a new title page of K–N's FPC Gas Tariff, Second Revised Volume No. 1. First Revised Sheet No. 17 supersedes Original Sheets Nos. 17, 17–B, 17–C, and 17–D and First Revised Sheet No. 17–A.

[2] Prior to the settlement in RP71–5, K–N was granted permission to track a specific increase in purchased gas cost by Commission order issued October 15, 1970, in Docket No. RP71–5.

(F) A Presiding Examiner to be designated by the Chief Examiner for that purpose (see Delegation of Authority, 18 CFR 3.5(d)), shall preside at the hearing in this proceeding; shall prescribe relevant procedural matters not herein provided, and shall control this proceeding in accordance with the policies expressed in § 2.59 of the Commission's rules of practice and procedure.

(G) K–N's request for extension of the tracking authorization contained in article III of the Stipulation and Agreement approved by Commission order dated April 29, 1971, is granted as modified here.

(H) This order does not relieve Kansas-Nebraska of any responsibility imposed by, and is expressly subject to the Commission's statement of policy implementing the Economic Stabilization Act of 1970 (Public Law 91–379, 84 Stat. 799, as amended by Public Law 92, 85 State 38), including such amendments as the Commission may require, and Executive Order No. 11615.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.71–15357 Filed 10–20–71;8:52 am]

[Docket No. CP71–127]

MID LOUISIANA GAS CO.

Notice of Petition to Amend

OCTOBER 14, 1971.

Take notice that on September 23, 1971, Mid Louisiana Gas Co. (Petitioner), Post Office Box 1707, Shreveport, LA 71166, filed in Docket No. CP71–127 a petition to amend the order of the Commission heretofore issued in said docket pursuant to section 7(c) of the Natural Gas Act on March 2, 1971 (45 FPC ____), by authorizing the installation and operation of natural gas metering and related facilities to enable Applicant to provide a second delivery point for service to Gas Utility District No. 1 (District), of West Feliciana Parish, La., all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

The order of March 2, 1971, authorized, inter alia, the operation of facilities and the sale for resale of up to 6,800 Mcf of natural gas per day to District. Petitioner states that it has received a request from District to deliver a portion of this volume through a second delivery point located near the Louisiana State Penitentiary in West Feliciana Parish. To facilitate this delivery, Petitioner states that it will be necessary to install a positive displacement meter in lieu of the existing orifice meter which is to be abandoned pursuant to permission and approval heretofore granted. The estimated cost of the positive displacement meter and related facilities is $2,000.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before November 2, 1971, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.71–15358 Filed 10–20–71;8:52 am]

[Docket No. RP71–16, etc.]

MIDWESTERN GAS TRANSMISSION CO.

Notice of Proposed Changes in Rate Filings

OCTOBER 12, 1971.

Take notice that on September 17, 1971, Midwestern Gas Transmission Co. (Midwestern) filed a Motion for Approval of Settlement Agreement as to Southern System Rates and Tariff Changes for Both Systems. A prior Stipulation and Agreement with respect to the Northern System was filed on March 16, 1971, and notice thereof was published on March 19, 1971 (36 F.R. 5537). Both such settlement proposals relate to a general rate increase filing of Midwestern's filed on September 30, 1970, and which by order issued November 13, 1970, were suspended until April 15, 1971. The September 17, 1971, tendered settlement proposal, in addition, related to the two tracking filings under review in Dockets Nos. RP–71–56 and RP72–3. The rate levels covered by the instant tender as to the Southern System would increase Midwestern's jurisdictional revenues by approximately $19,200,000, of which approximately $15,100,000, reflects the increase in purchase gas cost from its supplier, Tennessee Gas Pipeline Co., and currently under review in Docket No. RP71–6. The tracking increases in Dockets Nos. RP71–56 and RP72–3, aggregate $3,929,352 and reflect the higher Tennessee rates under review in Dockets Nos. RP71–57 and RP72–1, respectively.

Midwestern states that it has conferred with its customers, and as a result has filed this most recent Settlement Agreement. Midwestern proposes therein (1) to reduce its rate levels as shown in the revised tariff sheets concurrently submitted, (2) to make appropriate refunds, and (3) to flow through refunds received from its supplier. In addition the settlement proposal provides (1) for the approval and use of 3.84 percent composite book depreciation and amortization rate on the Southern System; (2) utilization of liberalized depreciation on all eligible property for accounting and rate making purposes; (3) for the expansion of its pipeline system; (4) for the tracking of changes in Tennessee's rates, changes in Federal income taxes, and for rate changes due to safety program expenditures; and (5) that the company may not file increased rates which may become effective pursuant to the Natural Gas Act prior to the end of the moratorium period for Tennessee's rates specified in the Stipulation and Agreement dated August 14, 1971, in Docket No. RP71–6, et al., which is currently before the Commission.

Copies of the tender were served on all parties to these proceedings. Answers and comments relating to the Settlement Agreement dated September 17, 1971, may be filed with the Federal Power Commission, Washington, D.C. 20426, on or before November 8, 1971.

Any order or orders issued in these proceedings shall be subject to the Commission's Statement of Policy Implementing the Economic Stabilization Act of 1970 (Public Law 91–379, 84 Stat. 799, as amended by Public Law 92–15, 85 Stat. 38) and Executive Order 11615, including such amendments as the Commission may require.

KENNETH F. PLUMB,
Secretary.

[FR Doc.71–15359 Filed 10–20–71;8:52 am]

[Docket No. RI71–970 etc.]

WARREN PETROLEUM CORP., AND SUN OIL CO.

Order Consolidating Proceedings and Notice of Application to Abandon

OCTOBER 13, 1971.

On September 15, 1971, Sun Oil Co. (Sun) filed in Dockets Nos. RI71–970, CI71–788, and CI72–156 a pleading styled "Motion for Disclaimer of Jurisdiction or in the Alternative Application for Permission to Partially Abandon Sale and Motion for Consolidation of Proceedings."

Sun requests that the Commission disclaim jurisdiction over Sun's proposed termination of deliveries to the Gladewater Plant of Warren Petroleum Corp. (Warren) in order that Sun may deliver its natural gas, after processing, to United Gas Pipe Line Co. (United). Sun applies, in the alternative, for authorization pursuant to section 7(b) of the Natural Gas Act to abandon various sales to Warren.[1] Sun states that the sales it seeks to abandon are the subject of various contracts between Sun and Warren which have been terminated or will be terminated in whole or in part as they expire over the next several months.[2] Sun also requests that its motion for disclaimer or jurisdiction and the application be consolidated with the proceedings in Dockets Nos. RI71–970 and CI71–788, which were consolidated and set for formal hearing by the Commission's order of September 9, 1971.

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[1] Sun states that its application herein is in accordance with the direction of paragraph B of the Commission's order issued September 9, 1971, in Warren Petroleum Corporation v. Sun Oil Company, Docket No. RI71–970, et al.

[2] We note that Sun seeks authorization to abandon the sale of gas from leases where its contracts have not yet expired and in regard to which Sun has not sought new certificates of public convenience and necessity for the sale of said gas.

The pleading herein raises common questions of law and fact to those raised in the pleadings in Docket No. RI71–970 and Docket No. CI71–788, heretofore consolidated.

The Commission finds:

(1) It is desirable and in the public interest to consolidate Sun's motion for disclaimer and application to abandon with the proceedings in Dockets Nos. RI71–970 and CI71–788.

The Commission orders:

(A) Sun's motion for disclaimer of jurisdiction and application to abandon in Docket No. CI72–156 are hereby consolidated with the proceedings in Dockets Nos. RI71–970 and CI71–788 for purposes of hearing and decision. Any person desiring to be heard and to make any protest with reference to Sun's application to abandon should on or before October 22, 1971, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules. Intervenors in the proceedings in Dockets Nos. RI71–970 and CI71–788 will be deemed interveners in Docket No. CI72–156 and need not file a petition to intervene in that proceeding.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.71–15360 Filed 10–20–71;8:52 am]

FEDERAL RESERVE SYSTEM

[Docket No. BHC–99]

CITIZENS AND SOUTHERN NATIONAL BANK AND CITIZENS AND SOUTHERN HOLDING CO.

Determination Regarding Planned Activities of Nonbanking Subsidiary Under Bank Holding Company Act

In the matter of the applications of the Citizens and Southern National Bank and the Citizens and Southern Holding Co., Savannah, Ga., for a determination under section 4(c)(8) of the Bank Holding Company Act of 1956 relating to the planned activities of their nonbanking subsidiary, the Citizens & Southern Credit Service Corp.

Applicants, the Citizens and Southern National Bank and the Citizens and Southern Holding Co., Savannah, Ga., both holding companies within the meaning of § 2(a) of the Bank Holding Company Act of 1956 (12 U.S.C. § 1841(a)), have filed a request for a determination by the Board of Governors that the activities planned to be undertaken by their nonbank subsidiary, the Citizens & Southern Credit Service Corp., are of the kind described in section 4(c)(8) of the Act (12 U.S.C. section 1843(c)(8)).

The applications were filed prior to the passage of the Bank Holding Company Act Amendments of 1970. In accordance with the requirements of the Act prior to the passage of the 1970 amendments, a hearing was held in this matter on November 20, 1969, pursuant to an order of the Board of Governors, before a hearing examiner selected by the Civil Service Commission pursuant to section 3344 of Title 5 of the United States Code. The record made at said hearing has been duly filed with the Board. Inasmuch as section 4(c)(8) of the Act, as amended, is controlling with respect to the issues to be determined in this matter, on April 29, 1971, the Board issued a notice of opportunity for hearing in this matter pursuant to section 4(c)(8), as amended. No request for hearing was received. On June 9, 1971, therefore, the Board of Governors issued an order referring this matter to Hearing Examiner La Macchia for his recommended decision pursuant to section 4(c)(8), as amended. On August 10, 1971, Hearing Examiner La Macchia filed his recommended decision,[1] a copy of which is annexed hereto, wherein he recommended that the Board make the requested determination subject to certain conditions. The time for filing exceptions to the recommended decision has expired. No exception has been filed to the recommended decision of the Hearing Examiner. The findings of fact, conclusions of law, and recommendations of the Hearing Examiner are adopted, and, on the basis of the entire record,

It is hereby ordered, That the activities proposed to be undertaken by the Citizens & Southern Credit Credit Service Corp. are determined to be so closely related to banking or managing or controlling banks as to be a proper incident thereto. Said order is entered on the conditions that the Citizens & Southern Credit Service Corp. shall amend its charter so as to authorize it to perform its functions and make its services available to banks, but not to lenders other than banks and amend its proposed contracts with correspondent banks so as to provide that any correspondent bank may terminate its contract with the Citizens & Southern Credit Service Corp. respecting future transactions upon 90-day prior written notice, and on the further condition that the Citizens & Southern Credit Service Corp. shall be subject to the same limitations with respect to the ownership of any collateral acquired in the course of the conduct of its proposed activities as are its parents the Citizens and Southern National Bank and the Citizens and Southern Holding Co.: *Provided, however,* That applicants shall not proceed in reliance upon the terms of this order for 10 days from the date hereof and thereafter shall conduct their operations in conformity with the requirements of § 222.4(c) of Regulation Y (12 CFR 222.4(c)).

By order of the General Counsel of the Board of Governors, October 14, 1971, acting on behalf of the Board pursuant to delegated authority (12 CFR section 265.2(b)(2)).

[SEAL] TYNAN SMITH, *Secretary of the Board.*

[FR Doc.71–15291 Filed 10–20–71;8:46 am]

[1] Filed as part of the original document. Copies available upon request of the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Atlanta.

UNITED MISSOURI BANCSHARES, INC.

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made, pursuant to section 3(a)(3) of the Bank Holding Company Act of 1936 (12 U.S.C. 1842(a)(3)), by United Missouri Bancshares, Inc., which is a bank holding company located in Kansas City, Mo., for prior approval by the Board of Governors of the acquisition by applicant of up to 100 percent of the voting shares of The Brookfield Banking Co., Brookfield, Mo.

Section 3(c) of the Act provides that the Board shall not approve:

(1) Any acquisition or merger or consolidation under section 3 which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or

(2) Any other proposed acquisition or merger or consolidation under section 3 whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless the Board finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Kansas City.

Board of Governors of the Federal Reserve System, October 15, 1971.

[SEAL] TYNAN SMITH, *Secretary of the Board.*

[FR Doc.71–15290 Filed 10–20–71;8:46 am]

GENERAL SERVICES ADMINISTRATION

[Federal Property Management Regs.; Temporary Reg. F-126]

SECRETARY OF DEFENSE

Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government in a telecommunications service rate proceeding.

2. *Effective date.* This regulation is effective immediately.

3. *Delegation.* a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a)(4) and 205(d) (40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government before the Alaska Public Utilities Commission in a proceeding involving a rate increase for services provided by the Anchorage Telephone Utility.

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and, further, shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

Dated: October 15, 1971.

ROBERT L. KUNZIG,
Administrator of General Services.

[FR Doc.71-15342 Filed 10-20-71;8:50 am]

SECURITIES AND EXCHANGE COMMISSION

[812-2730]

AMERICAN REPUBLIC ASSURANCE CO. AND AMERICAN REPUBLIC ASSURANCE CO. SEPARATE ACCOUNT C

Notice of Filing of Application for Order for Exemption

OCTOBER 15, 1971.

Notice is hereby given that American Republic Assurance Co. (Assurance Co.) and American Republic Assurance Co. Separate Account C (Separate Account) (hereinafter collectively referred to as "Applicants") have filed an application pursuant to section 6(c) of the Investment Company Act of 1940 (Act), for an order exempting Applicants from the provisions of sections 17(f)(3), 22(d), 27(c)(2), and Rule 17f-2 thereunder.

Assurance Co. established Separate Account on October 24, 1969, pursuant to the Iowa Insurance Law to receive purchase payments, after certain deductions, made under individual and group contracts designed to provide retirement payments to employees of public school systems, certain tax-exempt organizations, and pension and profit-sharing plans meeting the requirements of section 403(b) or 401 of the Internal Revenue Code. Separate Account is an open-end, diversified management investment company registered under the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

Section 17(f)(3). Section 17(f)(3) provides, in pertinent part, that a registered management investment company may maintain its securities and investments in its own custody but only in accordance with such rules, and regulations or orders as the Commission may from time to time prescribe for the protection of investors. Rule 17f-2 requires, in pertinent part, that all securities and similar investments be deposited in the safekeeping of, or in a vault or other depository maintained by, a bank or other company whose functions and physical facilities are supervised by Federal or State authority, and that access to the securities and similar investments be limited to certain specified persons. Applicants request an exemption from the provisions of section 17(f)(3) and Rule 17f-2 to the extent necessary to permit not more than five officers or responsible employees of Assurance Co. as well as duly authorized representatives of the Insurance Commissioner of Iowa to have access to the assets of Separate Account. Applicants represent that Assurance Co. is subject to supervision and inspection by the Insurance Commissioner of Iowa and that the portfolio of securities of Separate Account will be held by a custodian bank under arrangements otherwise complying with section 17(f) and the Rule 17f-2 thereunder.

Section 22(d). Section 22(d) provides, in pertinent part, that no registered investment company shall sell any redeemable security issued by it to any person except at a current public offering price described in the prospectus. Assurance Co. and Separate Account request an exemption from section 22(d) to permit the practices set forth below:

(1) Contracts participating in Separate Account provide that the beneficiary of a deceased person for whom an accumulation account was maintained may elect to have the account value applied to effect a variable annuity, a fixed-dollar annuity or a combination of variable and fixed-dollar annuity for the beneficiary in lieu of payment to the beneficiary unless the decedent had provided otherwise by designating the form of the death benefit. While in some circumstances the decedent may wish to stipulate the nature of the death benefit, he may wish his beneficiary to make the decision thereon based on his personal circumstances at the time of the decedent's death. Applicants represent that imposition of a sales load where the beneficiary elects a variable annuity would tend in practice to eliminate such option. Applicants assert that no significant selling activity or expenses in connection with the exercise of the variable annuity option will be incurred and that no unfair discrimination would result from elimination of sales charges under the foregoing circumstances. In each instance a sales charge will have been previously paid to Assurance Co.

(2) Applicants sell and maintain individual and group annuity contracts, deducting from the gross purchase payments a sales charge. The net purchase payments under the contracts (i.e., purchase payments less any premium taxes and less a sales charge) are allocated to Separate Account or to a general account of Assurance Co. in accordance with the account allocation specified by the contract owner. Contract owners may elect to have the total amount which is credited to their accounts in the Separate Account and in the general account of Assurance Co. applied to provide variable accumulation units, fixed-dollar accumulation units or a combination of variable and fixed-dollar accumulation units or to the purchase of a variable annuity, a fixed-dollar annuity or a combination variable and fixed-dollar annuity. In cases where a contract owner elects to have an amount credited to his account in the general account applied to the purchase of variable accumulation units or a variable annuity, Applicants propose to permit the transfer of accumulation units from the general account to Separate Account without the payment of an additional sales charge on the amount so transferred, such transfers to be limited to a maximum of one per year.

Applicant submits that since a uniform sales charge is deducted from all purchase payments made by contract owners, whether allocated to the general account or Separate Account, the transfer of accumulation units from the general account of Assurance Co. to Separate Account, in order to provide for variable accumulation units or a variable annuity without an additional sales charge, would not be inconsistent with the purposes of 22(d) and would be in the interest of investors.

Section 27(c)(2) prohibits a registered investment company or a depositor or underwriter for such company from selling periodic payment plan certificates unless the proceeds of all payments, other than sales load, are deposited with a bank having the qualifications prescribed in section 26(a)(1) and held by it as trustee or custodian under an indenture or agreement containing, in substance, the provisions required by sections 26(a)(2) and (3) for a unit investment trust. Section 26(a)(2) requires that the trustee or custodian segregate and hold in trust all securities and cash of the trust, places certain restrictions on charges which may be made against the trust income and corpus, and excludes from expenses which the trustee or custodian may

charge against the trust any payments to the depositor or principal underwriter, other than a fee, not exceeding such reasonable amount as the Commission may prescribe, for performing bookkeeping and other administrative services delegated to them by the trustee or custodian. Section 26(a)(3) governs the circumstances under which the trustee or custodian may resign.

Applicants request an exemption from the requirements of section 27(c)(2) on the grounds that Assurance Co. is a regulated insurance company, and is subject to extensive and detailed supervision and inspection by the Insurance Commissioner of Iowa. Applicants assert that such control provides ample assurance against misfeasance, and affords the essential protection which a trusteeship under section 26(a)(2) would provide. Applicants further state that Assurance Co. will undertake binding commitments to contract owners to provide them with variable annuity benefits and that under no condition can it legally abrogate such undertakings. The application also states that Assurance Co. has substantial capital and surplus to insure that it will be able to meet its obligations and that Assurance Co.'s status as a regulated insurance company provides the substantial protections of section 27(c)(2).

Applicants consent to the requested exemptions being made subject to the conditions (1) that the deductions under the contracts for administrative expenses shall not exceed such reasonable amounts as the Commission shall prescribe, jurisdiction being reserved for such purpose, and (2) that the payment of sums and charges out of the assets of Separate Account shall not be deemed to be exempted from regulation by the Commission by reason of the requested order; provided that Applicants' consent to this condition shall not be deemed to be a concession to the Commission of authority to regulate the payment of sums and charges out of such assets of Separate Account other than charges for administrative services. Applicants reserve the right in any proceeding before the Commission or in any suit or action in any court to assert that the Commission has no authority to regulate the payment of such other sums or charges.

Section 6(c) authorizes the Commission to exempt any person, security or transaction, or any class or classes of persons, securities, or transactions from the provisions of the Act and rules promulgated thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than November 1, 1971, at 5:30 p.m. submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted; or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicants at the address stated above. Proof of such service (by affidavit or in case of an attorney at law, by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.71-15294 Filed 10-20-71;8:46 am]

[File No. 24C-3294]

BIO-NUCLEAR INTERNATIONAL, INC.

Order Temporarily Suspending Exemption, Statement of Reasons, and Notice of Opportunity for Hearing

OCTOBER 13, 1971.

I. Bio-Nuclear International, Inc. (issuer), a corporation incorporated under the laws of the State of Minnesota on March 3, 1971, with its principal offices at the Wayzata Medical Building, Wayzata, Minn., filed with the Commission on May 25, 1971, a notification on Form 1-A and an offering circular relating to a proposed offering of 100,000 shares of $0.05 par value common stock at $3 per share for an aggregate offering price of $300,000 for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) thereof and regulation A promulgated thereunder.

II. The Commission has reason to believe from information reported to it by the staff that:

A. The notification and offering circular contain untrue statements of material facts and omit to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, including, but not limited to the following:

1. The notification and offering circular falsely state that Donald W. Hunt, Richard H. Picha, Merle K. Loken, Joseph E. Wargo, and Peter Barna paid cash for their shares of the issuer's outstanding common stock. In this connection, the notification and circular omit to state that $30,000 of the $42,000 paid in capital resulted from the issuance of stock of the aforementioned persons in a noncash transaction involving the acquisition by the issuer of assets from Nuclear Medical Computer Corp., its predecessor corporation. In the recording of such transaction, the amount of the stock issuance was considered as a "down payment" or partial payment on the indebtedness incurred for the assets acquired.

2. The offering circular and note 2 to the certified financial statements falsely represent that $30,000 cash has been paid to Nuclear Medical Computer Corp. as payment for assets purchased.

3. The certified statement of cash receipts and disbursements falsely states the sum of $42,000 in the account entitled "Receipts-Sale of Stock" as cash received from the sale of stock. It omits to state that only $12,000 of this $42,000 was actually received in cash and that the balance of $30,000 resulted from the issuance of stock in the noncash transaction mentioned in No. 1 above. Under the caption entitled "Disbursements," $30,000 in cash is falsely stated as being disbursed, no disclosure having been made to explain that this amount actually resulted from the aforementioned noncash transaction.

4. Note 3 to the certified financial statements falsely lists the total capital contribution as $42,000 in cash. No disclosure was made that only $12,000 of the contribution was made in cash and that the balance of $30,000 resulted from the aforementioned noncash transaction.

5. The notification and offering circular omit to disclose that some or all of the individuals listed in paragraph 1 above were shareholders of Nuclear Medical Computer Corp., predecessor corporation, and would share in the payments and/or any benefits received from said payments to Nuclear Medical Computer Corp. by Bio-Nuclear International, Inc.

6. The notification fails to disclose that Peter F. Lee is a promoter, as that term is defined in rule 251 of the general rules and regulations under the Securities Act of 1933.

B. The terms and conditions of regulation A have not been complied with in that:

The issuer offered and sold its securities without using an offering circular containing the information required by schedule I of form 1-A.

C. The offering has been in violation of the antifraud provisions of section 17 of the Securities Act of 1933 and section 10(b) of the Securities Exchange Act of 1934 and rule 10(b)-5 thereunder.

III. It appearing to the Commission that it is in the public interest and for the protection of investors that the exemption of the issuer under regulation A be temporarily suspended.

It is ordered, Pursuant to rule 261(a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption of the issuer under regulation A be, and it hereby is, temporarily suspended.

It is further ordered, Pursuant to rule 7 of the Commission's rules of practice, that the issuer file an answer to the allegations contained in this order within 30 days of the entry thereof.

Notice is hereby given that any person having an interest in the matter may file with the Secretary of the Commission a written request for hearing within 30 days after the entry of this order; that within 20 days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice however, to the consideration and presentation of additional matters at the hearing; that if no hearing is requested, and none is ordered by the Commission, this order shall become permanent on the 30th day after its entry and shall remain in effect unless, or until, it is modified or vacated by the Commission; and that notice of the time and place for such hearing will be promptly given by the Commission.

By the Commission.

[SEAL] RONALD F. HUNT, *Secretary.*

[FR Doc.71-15295 Filed 10-20-71;8:46 am]

[File No. 1-4847]

ECOLOGICAL SCIENCE CORP.

Order Suspending Trading

OCTOBER 15, 1971.

The common stock, 2 cents par value, of Ecological Science Corp. being traded on the American Stock Exchange, the Philadelphia-Baltimore-Washington Stock Exchange and the Pacific Coast Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Ecological Science Corp. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such security on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the above mentioned exchanges and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period October 16, 1971, through October 25, 1971.

By the Commission.

[SEAL] RONALD F. HUNT, *Secretary.*

[FR Doc.71-15296 Filed 10-20-71;8:46 am]

[File No. 1-4692]

FAS INTERNATIONAL, INC.

Order Suspending Trading

OCTOBER 13, 1971.

The common stock, 2 cents par value, and the 5 percent convertible subordinated debentures due 1989 of FAS International, Inc. being traded on the New York Stock Exchange, Inc., pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of FAS International, Inc. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period October 14, 1971, through October 23, 1971.

By the Commission.

[SEAL] RONALD F. HUNT, *Secretary.*

[FR Doc.71-15297 Filed 10-20-71;8:46 am]

[812-2946]

FIRST FUND OF VIRGINIA, INC.

Notice of Filing of Application for Order of Exemption

OCTOBER 15, 1971.

Notice is hereby given that First Fund of Virginia, Inc. (Applicant), 910 Capitol Street, Richmond, VA 23219, a Virginia corporation registered as an open end, diversified, management investment company under the Investment Company Act of 1940 (Act), has filed an application pursuant to section 6(c) of the Act for an order of exemption from the provisions of section 22(d) of the Act to the extent described below. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

Section 22(d) of the Act provides, in pertinent part, that no registered investment company shall sell any redeemable security issued by it to any person except at a current offering price described in the prospectus.

Shares of the Applicant are ordinarily offered to the general public at a public offering price which is the net asset value per share at the time of purchase plus a maximum sales charge of 8½ percent of the public offering price, reduced on a graduated scale for sales involving amounts of $12,500 or more.

Applicant seeks an exemption from section 22(d) to permit its shares to be offered without sales charge to the present two members of its advisory board who have acted as such for not less than 90 days. Such sales will be made pursuant to a uniform offer described in the Applicant's prospectus and will be made only upon the written assurance of the purchaser that the purchase is made for investment purposes and that the securities will not be resold except through redemption or repurchase by or on behalf of the issuer. Applicant represents that currently its advisory board consists of two people described in the application who have each acted for more than 90 days and that its directors and officers have no present intention of recommending that the number of advisory board members be increased to more than two members.

Applicant states that persons of demonstrated business acumen, judgment, and experience are selected to serve on the advisory board in order to give the directors and officers the benefit of the opinions and recommendations of such persons and to broaden the perspective of the directors in their evaluation of the actions of the investment manager in the selection or disposition of portfolio securities.

One of Applicant's two advisory board members is a dean of a graduate school of business administration, and a director of two corporations and a mutual fund. The other advisory board member is the president of a public utility company, the director of a bank and a corporation and a former partner in a law firm. These advisory board members' fees and reimbursement of expenses are identical to those paid or reimbursed to the directors of the Fund.

Applicant and its two advisory board members make the following representations regarding the advisory board members' specific functions:

(a) They receive notice of, and attend and participate in each meeting of the Fund's Board of Directors;

(b) At such meetings, a copy of each financial or other written report submitted by Fund management to the board of directors of the Fund is also submitted to each of the two advisory board members for their review and comment. Similarly, any oral presentations made by Fund management or by any member of the board of directors of the Fund is heard by and open to comment by the advisory board members when in attendance at the directors' meetings;

(c) Following each meeting of the Fund's Board of Directors, a copy of the minutes of such meeting is circulated not only to the Fund's Board of Directors, but also to the advisory board members for their review, comment and corrections, if any;

(d) At the meetings of the board of directors of the Fund, the advisory board members contribute their talents, experience, opinions, comments, and recommendations to the matters presented to the directors of the Fund and are distinguished from directors only in the fact that they are unable to cast an affirmative or negative vote in connection with formal action by the board; and

(e) During the intervening periods between meetings of the Fund's Board of Directors, the advisory board members are furnished for review, in addition to copies of minutes of the previously held meeting, copies of all other communications between Fund management and its directors.

Applicant asserts that its shareholders benefit from the service of these two

advisory board members since they contribute their broad knowledge of business affairs, economic trends and the impact of political and social changes upon the companies whose securities have been or are proposed to be included in the investment company's portfolio. Applicant further asserts that it is important to its shareholders that its management be given every possible assistance in recruiting and retaining for its advisory board persons of wide business experience and knowledge in the practical workings of the modern day business corporation whose securities enter the capital markets and are purchased for the accounts of investment companies.

Applicant states that the function of the advisory board is significant enough to the success of an investment company's operations that the Commission should approve a differentiation between the advisory board members and the investing public generally in the offer and sale of Applicant's shares. Applicant further states that this would be a justifiable differentiation based upon objective facts, would not result in any disruption in the orderly distribution of Applicant's shares, and would benefit a very limited number of persons, i.e., the two present members of Applicant's advisory board.

Accordingly, Applicant states that the requested exemption is appropriate, in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Section 6(c) of the Act provides that the Commission, by order upon application, may conditionally or unconditionally exempt any persons or transactions from any provision or provisions of the Act, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than November 4, 1971 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service by affidavit (or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in the matter including the date of the hearing (if ordered) and any postponements thereof.

By the Commission.

[SEAL] RONALD F. HUNT, *Secretary.*

[FR Doc.71-15298 Filed 10-20-71;8:46 am]

[70-5097]

HARTFORD ELECTRIC LIGHT CO.

Notice of Proposed Issue and Sale of First Mortgage Bonds and Preferred Stock at Competitive Bidding

OCTOBER 15, 1971.

Notice is hereby given that the Hartford Electric Light Co. (HELCO), 176 Cumberland Avenue, Wethersfield, CT 06109, a public-utility subsidiary company of Northeast Utilities, a registered holding company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 (Act), designating section 6(b) of the Act and rule 50 promulgated thereunder as applicable to the following proposed transactions. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transactions.

HELCO proposes to issue and sell, subject to the competitive bidding requirements of rule 50 under the Act, $30 million principal amount of _____ percent First Mortgage Bonds, 1971 Series, due December 1, 2001. The interest rate (which will be a multiple of one-eighth of 1 percent and the price, exclusive of accrued interest, to be paid to HELCO (which shall be not less than 99 percent nor more than 102¾ of the principal amount thereof) will be determined by the competitive bidding. The bonds will be issued under the First Mortgage Indenture and Deed of Trust dated January 1, 1958, between HELCO and The First National Bank of Boston, Successor Trustee, as heretofore supplemented and amended and as to be further supplemented by a 10th Supplemental Indenture to be dated as of December 1, 1971, and which contains a prohibition until December 1, 1976, against refunding the issue with the proceeds of funds borrowed at a lower cost of money.

HELCO also proposes to issue and sell, subject to the competitive bidding requirements of rule 50 under the Act, 200,000 shares of its _____ percent Preferred Stock—1971 Series, $50 par value. The dividend rate of the preferred stock (which will be a multiple of 0.08 percent) and the price, exclusive of accrued dividends, to be paid to HELCO (which shall be not less than $50 nor more than $51.375 per share) will be determined by the competitive bidding. The terms of the preferred stock include a prohibition against refunding the issue prior to December 1, 1976, directly or indirectly, with funds derived from the issuance of debt securities at a lower effective interest cost or preferred stock at a lower dividend cost.

It is stated that the net proceeds from the issue and sale of the bonds and preferred stock will be used to repay short-term borrowings incurred in financing HELCO's construction program and which are expected to aggregate $65 million prior to the time of the proposed sales. Northeast Utilities plans to make a $10 million capital contribution to further reduce short-term borrowings (Holding Company Act Release No. 16979). HELCO's construction program for 1971-72 is estimated to total approximately $168,700,000.

The fees and expenses incident to the proposed transactions will be filed by amendment. The filing states that the issue and sale of the bonds and preferred stock is subject to the approval of the Connecticut Public Utilities Commission. No other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than November 15, 1971, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application as filed or as it may be amended, may be granted as provided in rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] RONALD F. HUNT, *Secretary.*

[FR Doc.71-15299 Filed 10-20-71;8:46 am]

[File No. 1-6338]

LEISURE LIVING COMMUNITIES, INC.

Order Suspending Trading

OCTOBER 12, 1971.

The common stock of Leisure Living Communities, Inc., being traded on

the Philadelphia-Baltimore-Washington Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Leisure Living Communities, Inc., being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15 (c) (5) and 19(a) (4) of the Securities Exchange Act of 1934, that trading in such securities on the above-mentioned exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period October 12, 1971, through October 21, 1971.

By the Commission.

[SEAL] RONALD F. HUNT, *Secretary.*

[FR Doc.71-15300 Filed 10-20-71;8:47 am]

[70-5098]

NORTHEAST UTILITIES

Notice of Proposed Issue and Sale of Common Shares by Holding Company

OCTOBER 15, 1971.

Notice is hereby given that Northeast Utilities (Northeast), 174 Brush Hill Road, West Springfield, MA 01089, a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 (Act), designating sections 6 and 7 of the Act and Rule 50 promulgated thereunder as applicable to the following proposed transaction. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transaction.

Northeast proposes to issue and sell, subject to the competitive bidding requirements of Rule 50, 3,500,000 additional shares of its authorized but unissued common shares, par value $5 per share. The proceeds of the sale of the common shares are to be used to reduce short-term borrowings incurred by Northeast to make investments in its subsidiary companies and to make a $15 million capital contribution to the Connecticut Light and Power Co., a subsidiary company of Northeast. It is estimated that short-term borrowings will total $81 million at the time of the proposed sale of the common shares.

It is stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transaction. Fees and expenses incident to the proposed transaction are to be filed by amendment.

Notice is further given that any interested person may, not later than November 15, 1971, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

RONALD F. HUNT, *Secretary.*

[FR Doc.71-15302 Filed 10-20-71;8:47 am]

[812-3034]

RIVIANA FOODS, INC.

Notice of Filing of Application for Order Permitting Proposed Transaction

OCTOBER 15, 1971.

Notice is hereby given that Riviana Foods, Inc. (Applicant), 2727 Allen Parkway, Houston, Texas 77019, a Delaware corporation, has filed an application under section 17(d) of the Investment Company Act of 1940 (Act) and Rule 17d-1 thereunder. Applicant requests an order granting said application pursuant to Rule 17d-1 with respect to the proposed participation by Applicant with Lastarmco, Inc. (Lastarmco), a registered close-end, nondiversified management investment company, in the sale to underwriters of shares of common stock of Applicant. All interested persons are referred to the application on file with the Commission for a statement of the representations made therein, which are summarized below.

Applicant is engaged in the production and distribution of a variety of food products. Applicant has outstanding 3,180,801 shares of common stock held by approximately 4,575 stockholders and 82,094 shares of $2.60 cumulative convertible preferred stock held by approximately 27 stockholders. Its common stock is listed on the New York Exchange. Lastarmco, at September 30, 1971, owned 286,937 shares, or approximately 9 percent of Applicant's outstanding common stock. Four of the nine directors of Lastarmco, who with their families own approximately 67 percent of the outstanding stock of Lastarmco, are members of Applicant's 15-man board of directors and two of such four directors are officers of both Applicant and Lastarmco. Applicant and Lastarmco are affiliated persons of each other within the meaning of section 2(a) (3) of the Act.

Pursuant to a registration statement filed by Applicant with the Commission under the Securities Act of 1933, of the 600,000 shares of its common stock thereby registered, Applicant proposes to sell to underwriters 395,000 shares of newly issued common stock and certain of its stockholders propose to sell to underwriters 205,000 shares. Of the latter shares, Lastarmco proposes to sell 120,628 shares. The proposed initial public offering price and net price to be received by Lastarmco and the other selling stockholders and by Applicant as issuer with respect to their respective blocks of stock will be the same. The price will be established by negotiation between Lastarmco and Applicant on the one hand and Goldman, Sachs & Co., Walston & Co., Inc. and Rotan, Mosle-Dallas Union, Inc., the representatives of the underwriters, on the other. If Lastarmco should fail to agree with the representatives of the underwriters at the time of the pricing of the proposed issue, its block will not be sold; Applicant cannot bind Lastarmco to accept any price.

Assuming an agreement is reached, the initial public offering price for the stock to be sold in the underwriting will be reasonably related to the last available market price at the time the price determination is made. Such price will not be higher than the last reported sale price or the last reported asked price, regular way, of the common stock of Applicant on the New York Stock Exchange immediately prior to such determination, whichever is higher. The underwriting discount, expressed as a percentage of the initial public offering price, will not exceed 6 percent. Applicant has been advised by the representatives of the underwriters that such a discount does not exceed the usual and customary underwriting discount in an underwriting of common stock of this nature.

The underwriting agreement will provide, with respect to the allocation of the expenses of the underwriting between Lastarmco, the other selling stockholders and Applicant, that Lastarmco will pay only its pro rata share of such expenses, based upon the number of shares to be sold by it.

Rule 17d-1, adopted under section 17(d) of the Act, provides, inter alia, that no affiliated person of any registered investment company shall, acting as principal, participate in, or effect any transaction in connection with, any joint enterprise or other joint arrangement in which such registered company is a participant, unless an application regarding such joint enterprise or arrangement has been filed with the Commission and has

been granted by order, and that in passing upon such application the Commission will consider whether the participation of the registered company in the joint enterprise or arrangement on the basis proposed is consistent with the provisions, policies and purposes of the Act and the extent to which such participation is on a basis different from or less advantageous than that of other participants.

Notice is further given that any interested person may, not later than October 31, 1971, at 5:30, p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address set forth above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.71–15303 Filed 10–20–71;8:47 am]

[31–701]

UNION BANK ET AL.

Notice of Filing of Application for Order Declaring Applicants Not To Be Electric Utility Companies

OCTOBER 15, 1971.

In the matter of Union Bank, Post Office Box B100, Terminal Annex, Los Angeles, CA 90054, Manufacturers Hanover Trust Co., 40 Wall Street, New York, NY 10015, The Bank of California, National Association, Post Office Box 60864, Terminal Annex, Los Angeles, CA 90060.

Notice is hereby given that Union Bank (Union), Manufacturers Hanover Trust Co. (Manufacturers), and The Bank of California, National Association (Bank of California) have filed an application and amendments thereto for an order declaring that neither Union, Manufacturers, nor Bank of California is or will become "an electric utility company" within the meaning of section 2(a)(3) of the Public Utility Holding Company Act of 1935 (Act) as a result of the transactions set forth in the application. All interested persons are referred to the application, as amended, which is summarized below, for a complete statement of the facts.

Union, all of whose outstanding capital stock is owned by Unionamerica, Inc., a California corporation, is a commercial and savings bank organized under the laws of the State of California. Manufacturers, all of whose outstanding capital stock is owned by Manufacturers Hanover Corp., a New York corporation, is a commercial and savings bank organized under the laws of the State of New York. Neither Union nor Manufacturers nor their respective parent corporations is presently a "holding company" or a "subsidiary company" of a "holding company," as defined in the Act. If Union or Manufacturers were to become an electric utility company under the Act as a result of the transactions described below, their respective parent companies would be holding companies under the Act. Bank of California is a commercial and savings bank organized under the laws of the United States of America, and is not a "holding company" or a "subsidiary company" of a "holding company" under the Act. Although no arrangements to do so have presently been made, Bank of California contemplates that it may at some time in the future become a subsidiary company of a bank holding company.

Consolidated Edison Company of New York, Inc. (Con Ed), is an electric utility company, organized under the laws of the State of New York, and is subject to the jurisdiction of the Public Service Commission of New York. Con Ed entered into purchase agreements with various manufacturers to supply to Con Ed 11 gas turbine generating units and accessory equipment (the "Units") for an aggregate purchase price of approximately $20,500,000. Subsequently, Con Ed assigned its right to buy the Units to Bank of California, acting as Trustee (the "Owner-Trustee") for the benefit of Union. Bank of California then purchased the Units directly from the manufacturers and leased them to Con Ed under a lease (the "Lease") having a term of approximately 25 years, pursuant to which Con Ed has the right to buy the Units at the end of the term for their then fair market value.

The Owner-Trustee borrowed approximately 80 percent of the funds required to purchase the Units, initially from an interim lender, and thereafter from institutional lenders who received promissory Notes (the "Notes") bearing a fixed rate of interest and maturing at the end of the term of the Lease. All Notes were issued, and the full amount of funds owing to the interim lender were repaid, as of June 1, 1971. The Notes are obligations of Bank of California as Owner-Trustee, payable solely out of the proceeds of the Lease, and are secured, among other things, by an assignment for security purposes to Manufacturers, as Secured Trustee, of all the Owner-Trustee's rights in the Units and under the Lease, including the right to receive rental and other payments from Con Ed. Con Ed will not guarantee the Notes. The remaining 20 percent of the purchase price was advanced to the Owner-Trustee by Union as an investment in the beneficial ownership of the Units. Union has applied to the Internal Revenue Service for a ruling to the effect that it as beneficial owner of the Units will be entitled for income tax purposes to depreciate the cost of the Units and to deduct interest paid by the Owner-Trustee on the Notes.

The Lease to Con Ed is a net lease under which Con Ed is responsible for maintaining, repairing, and insuring the Units and for paying substantially all taxes, assessments, and other costs arising from the possession and use thereof. The rentals payable by Con Ed to the Owner-Trustee during the term of the Lease are calculated to provide funds sufficient to pay the principal of and interest on the Notes and to return Union its equity investment. After the term has expired, Union is entitled to receive any proceeds realized from leasing or selling the Units to Con Ed or to others.

The application states that neither any applicant in its individual capacity, Bank of California as Owner-Trustee, nor Manufacturers as Secured Trustee, has received or will receive any revenues from the sale of electric energy by reason of the transactions. Each of the applicants representing that it is a company primarily engaged in the banking business and that no electric energy will be sold by it, as a result of the transactions, requests an order under section 2(a)(3) of the Act declaring that it will not be an electric utility company as a result of the above-described transactions.

The New York Public Service Commission has authorized Con Ed to enter into the Lease and to perform all of its obligations thereunder and under all other documents relating to the transactions.

Notice is further given that any interested person may, not later than November 9, 1971, request in writing that a hearing be held in respect of the request for exemption, stating the nature of his interest and the reasons for such request, and the issues of fact or law which he desires to controvert; or he may request that he be notified should the Commission order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. At any time after said date the Commission may grant the exemption as requested, or take such other action as it deems appropriate.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] RONALD F. HUNT, *Secretary.*

[FR Doc.71-15301 Filed 10-20-71;8:47 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 84]

MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FORWARDER APPLICATIONS

OCTOBER 15, 1971.

The following applications are governed by Special Rule 1100.247[1] of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER, issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) of the special rules, and shall include the certification required therein.

Section 247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's general policy statement concerning motor carrier licensing procedures, published in the FEDERAL REGISTER, issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 151 (Sub-No. 47), filed September 17, 1971. Applicant: LOVELACE TRUCK SERVICE, INC., 2225 Wabash Avenue, Terre Haute, IN 47807. Applicant's representative: R. W. Burgess, 8514 Midland Boulevard, St. Louis, MO 63114. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Mattoon, Ill., to points in Indiana, Missouri, and Ohio. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 2392 (Sub-No. 83), filed September 13, 1971. Applicant: WHEELER TRANSPORT SERVICE, INC., Post Office Box 14248, West Omaha Station, Omaha, NE 68114. Applicant's representative: Leonard A. Jaskiewicz, 1730 M Street NW., Suite 501, Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed, feed ingredients, feed supplements, urea, feed grade urea* when used in feed or feed ingredients or feed supplements, in bulk, in tank or hopper vehicles, from Fremont, Nebr., to points in Colorado, Illinois, Iowa, Kansas, Missouri, Minnesota, North Dakota, Oklahoma, South Dakota, Texas, Wisconsin, and Wyoming. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 2900 (Sub-No. 215), filed September 17, 1971. Applicant: RYDER TRUCK LINES, INC., 2050 Kings Road, Jacksonville, FL 32203. Applicant's representative: John Carter (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: (1) Regular route: *General commodities* (except commodities in bulk, household goods as defined by the Commission, classes A and B explosives, and commodities requiring special equipment), serving Madison, Ind., as an off-route point in connection with applicant's existing regular route authority from and to Louisville, Ky.; (2) irregular route: *Paper and paper products*, from Eaton, Ind., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, and Texas, and *rejected or damaged material* on return; and (3) irregular route: *Aluminum and aluminum articles* from Lancaster, Pa., to Clanton and Elba, Ala., Carrollton, Ga., and Tupelo, Miss. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Pittsburgh, Pa.

No. MC 10375 (Sub-No. 32), filed September 22, 1971. Applicant: BRANCH MOTOR EXPRESS COMPANY, a Corporation, 114 Fifth Avenue, New York, NY 10011. Applicant's representative: G. G. Heller (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of the P.P.G. Co., 1 mile east of Mount Holly Springs, Pa., on Mount Holly Springs-Boiling Springs Road as an off-route points in connection with applicant's authorized regular route authority between Philadelphia, Pa., and Baltimore, Md., serving no intermediate points. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 11207 (Sub-No. 313), filed September 22, 1971. Applicant: DEATON, INC., 317 Avenue W, Post Office Box 938, Birmingham, AL 35201. Applicant's representative: A. Alvis Layne, 915 Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, fittings, and materials* used in the manufacture and installation thereof, between Slocomb, Ala., on the one hand, and, on the other, points in Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Mobile or Dothan, Ala.

No. MC 16831 (Sub-No. 16), filed September 13, 1971. Applicant: LAVERNE W. SIMPSON, doing business as MID

[1] Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

SEVEN TRANSPORTATION COMPANY, 2323 Delaware Avenue, Des Moines, IA 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Contractors and construction equipment and supplies*, between Des Moines, Iowa, on the one hand, and, on the other, points in Illinois, Iowa, Kansas, Minnesota, Nebraska, South Dakota, and Wisconsin, restricted to traffic originating at or destined to the plantsites and storage facilities of Pittsburgh-Des Moines Steel Co., at Des Moines, Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Omaha, Nebr.

No. MC 22254 (Sub-No. 62), filed September 21, 1971. Applicant: TRANS-AMERICAN VAN SERVICE, INC., 7540 South Western Avenue, Chicago, IL 60620. Applicant's representative: John C. Bradley, 618 Perpetual Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pianos and organs and piano and organ benches and accessories*, from De Queen, Conway, and Fayetteville, Ark., and Greenwood, Miss., to points in the United States (except Alaska and Hawaii), and *returned shipments* of the *above commodities* from points in the United States (except Alaska and Hawaii), to the above-specified points. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 26739 (Sub-No. 68) (Correction), filed July 26, 1971, published in the FEDERAL REGISTER, issue of September 10, 1971, and republished in part as corrected this issue. Applicant: CROUCH BROS., INC., Post Office Box 1059, Saint Joseph, MO 64502. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, KS 66603. NOTE: The sole purpose of this partial republication is to correctly reflect the requested proposed regular route under paragraph 2 of the application by inserting the previously omitted portion "thence over U.S. Highway 24 to Manhattan, Kans." The corrected route should read as follows: (2) Between junction U.S. Highway 59 and Kansas Highway 116, and Salina, Kans., serving the intermediate points of Fort Riley, Manhattan, and Junction City, Kans., the off-route point of Enterprise, Kans., and serving St. Mary's, Kans., and junction U.S. Highway 59 and Kansas Highway 116 for purposes of joinder only; from junction U.S. Highway 59 and Kansas Highway 116 over Kansas Highway 116 to junction Kansas Highway 16, thence over Kansas Highway 16 to junction Kansas Highway 63, thence over Kansas Highway 63 to St. Mary's, Kans., *thence over U.S. Highway 24 to Manhattan, Kans.*, thence over Kansas Highway 18 to junction U.S. Highway 40, and thence over U.S. Highway 40 to Salina, and return over the same route. The rest of the application remains as previously published.

No. MC 26825 (Sub-No. 12), filed September 7, 1971. Applicant: ANDREWS VAN LINES, INC., Post Office Box 79, Seventh and Park Avenues, Norfolk, NE 68701. Applicant's representative: J. Max Harding, Post Office Box 82028, 605 South 14th Street, Lincoln, NE 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commercial and institutional furniture and fixtures and equipment, and furniture*, between points in Nebraska, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 30837 (Sub-No. 445) (Amendment), filed August 18, 1971, published in the FEDERAL REGISTER, issue of October 7, 1971, and republished as amended this issue. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, 4200 39th Avenue, Kenosha, WI 53140. Applicant's representative: Paul F. Sullivan, 711 Washington Building, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Folding tent campers* designed to be drawn by passenger automobiles, in truckaway service, (a) from points in California, Indiana, Iowa, Michigan, Ohio, Pennsylvania, Tennessee, and California to points in the United States (except Alaska and Hawaii), (b) from San Jose, Calif., to points in Washington, Oregon, Nevada, Idaho, Arizona, Colorado, Montana, Wyoming, Utah, New Mexico, and Texas, and (c) from Santa Rosa, Montabello, and Oakland, Calif., to points in Washington, Oregon, Nevada, Arizona, Idaho, and Utah; (2) *car top campers*, in truckaway service, from Fair Lawn, N.J., to points in the United States (except Alaska and Hawaii); and (3) *boat trailers*, from Algonac, Mich., to Cortland, N.Y. NOTE: The purpose of this republication is to broaden the territorial scope in part (1)(a) above. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 40978 (Sub-No. 18), filed September 26, 1971. Applicant: CHAIR CITY MOTOR EXPRESS COMPANY, a corporation, 3321 Highway 141 South, Sheboygan, WI 53081. Applicant's representative: R. E. Becker (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Vinyl plastic tile; vinyl plastic floor, wall and railing coverings; vinyl plastic sheeting; and vinyl plastic and rubber moulding; and materials and supplies* used in the installation thereof, from Sheboygan, Wis., to points in Alabama, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, and (2) *materials and supplies* used in the manufacture and installation of vinyl plastic tile, vinyl plastic floor, wall and railing coverings, vinyl plastic sheeting, and vinyl plastic and rubber moulding, from points in Alabama, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, to Sheboygan, Wis. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis., or Chicago, Ill.

No. MC 52014 (Sub-No. 2), filed July 16, 1971. Applicant: LAFAYETTE STORAGE & MOVING CORPORATION, Sheldon and West Drullard Street, Lancaster, NY 14086. Applicant's representative: Thomas J. Runfola, 631 Niagara Street, Buffalo, NY 14201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Uncrated new furniture and appliances, and returned and rejected shipments moving in shipper owned containers*, between points in Erie County, N.Y., and points in Erie County, Pa. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 55822 (Sub-No. 12), filed September 22, 1971. Applicant: VICTORY EXPRESS, INC., 2600 Willowburn Avenue, Dayton, OH 45427. Applicant's representative: Harold G. Hernly, Jr., 2030 North Adams Street, Suite 510, Arlington, VA 22201. Authority sought to operate as a *contract carrier*, by motor vehicle over irregular routes, transporting: *Paper and paper products*, from Palatka, Fla., to points in Indiana, Illinois, Michigan, Minnesota, Missouri, Iowa, Ohio, and Wisconsin, under contract with Hudson Pulp & Paper Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 60014 (Sub-No. 29), filed September 23, 1971. Applicant: AERO TRUCKING, INC., Post Office Box 308, Monroeville, PA 15146. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, OH 43215. Authority sought to operate as a *common carrier*, by

motor vehicle, over irregular routes, transporting: *Sheet metal products, and equipment, materials, and supplies* used in the installation of sheet metal products, between Philadelphia and points in lower Southampton Township, Bucks County, Pa., on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, North Carolina, Ohio, Oklahoma, Rhode Island, South Carolina, Tennessee, Texas, Wisconsin, and Vermont. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 61592 (Sub-No. 243), filed August 19, 1971. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, IA. Applicant's representative: Donald W. Smith, 900 Circle Tower Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural machinery and implements;* (2) *tractors;* (3) *industrial, construction, excavating, and material handling equipment;* (4) *such merchandise as is dealt in by lawn and garden dealers* (except chemicals and commodities in bulk); (5) *trailers* designed for the transportation of the above commodities; (6) *cabs* for (1), (2), and (3) above; (7) *internal combustion engines;* (8) *attachments* for (1), (2), (3), and (4) above; (9) *hydraulic and lubricating oils*; and (10) *parts* for (1) through (8) above, between points in Idaho, Washington, Oregon, and Turlock, Calif. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 61788 (Sub-No. 29), filed September 2, 1971. Applicant: GEORGIA FLORIDA ALABAMA TRANSPORTATION, a corporation, Speigner Street, Dothan, AL 36301. Applicant's representative: John P. Carlton, 327 Frank Nelson Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Atlanta, Ga., and Meridian, Miss., (a) from Atlanta over U.S. Highway 29 to junction thereof with U.S. Highway 80 at a point approximately 7 miles east of Tuskegee, Ala., thence over U.S. Highway 80 to Meridian, and return over the same route, as an alternate route for operating convenience only, in connection with applicant's regular route authority, serving no intermediate points and (b) from Atlanta to Montgomery, Ala., over Interstate Highway 85, thence over U.S. Highway 80 to Meridian, and return over the same route, as an alternate route for operating convenience only, in connection with applicant's regular route authority, serving no intermediate points. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 61825 (Sub-No. 45), filed September 17, 1971. Applicant: ROY STONE TRANSFER CORPORATION, V. C. Drive, Collinsville, Va. 24078. Applicant's representative: George S. Hales, Post Office Box 872, Martinsville, VA 24112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), between the plantsite of PPG Industries, Inc., at or near Mount Holly Springs, Pa., on the one hand, and, on the other, points in Georgia, North Carolina, South Carolina, Virginia, and points in Tennessee located on and east of U.S. Highway 231. NOTE: Common control may be involved. Applicant states the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 61955 (Sub-No. 13), filed September 7, 1971. Applicant: CENTROPOLIS TRANSFER CO., INC., 6700 Wilson Road, Kansas City, MO 64125. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Kansas City, MO 64105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals, including fertilizer and fertilizer materials*, from Kansas City, Mo., to points in Iowa, Kansas, Nebraska, and Oklahoma. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 64048 (Sub. No. 4), filed September 13, 1971. Applicant: CAPITAL CITY TRANSFER CO., a corporation, 1295 Johnson Street NE., Salem, OR 97303. Applicant's representative: Daniel A. Ritter, 200 Pacific Building, Salem, Oreg. 97301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Newsprint in rolls*, between Seattle and Port Angeles, Wash., and Salem, Oreg. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 72545 (Sub-No. 10), filed September 22, 1971. Applicant: FRANK P. MANNER, doing business as MANNER TRUCKING SERVICE, Post Office Box 637, Orland, CA 95963. Applicant's representative: Pete H. Dawson, 4453 East Piccadilly Road, Phoenix, AZ 85018. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer slurry fire retardants*, in bulk, in tank vehicles, from Orland, Calif., to points in Oregon. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 74321 (Sub-No. 51), filed September 3, 1971. Applicant: B. F. WALKER, INC., 650 17th Street, Denver, CO 80202. Applicant's representative: Richard P. Kissinger (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, between points in Alabama, Arkansas, Kansas, Louisiana, Mississippi, New Mexico, Oklahoma, and Texas. NOTE: Applicant states that tacking the requested authority is possible, but improbable, with its existing authority under MC 74321 Sub-Nos. 15, 17, 21, 22, 27, 32, 34, and 42, wherein it performs service in the States of Arizona, Colorado, Kansas, Louisiana, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah, and Wyoming. Applicant further states no duplicating authority sought. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., Dallas, Tex., or New Orleans, La.

No. MC 74321 (Sub-No. 52), filed September 7, 1971. Applicant: B. F. WALKER, INC., 650 17th Street, Denver, CO 80202. Applicant's representative: Richard P. Kissinger (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which because of their size or weight requires the use of special equipment or special handling, *and parts thereof*, between points in Colorado, on the one hand, and, on the other, points in New Mexico. NOTE: Applicant states that it presently holds authority to provide the requested transportation service by tacking its Sub-No. 10 and Sub-No. 32 authority by observing a Texas Gateway, and that the purpose of this application is for the elimination of said gateway. Applicant further states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 76177 (Sub-No. 323), filed September 20, 1971. Applicant: BAGGETT TRANSPORTATION COMPANY, a corporation, 2 South 32d Street, Birmingham, AL 35233. Applicant's representative: Harold G. Hernly, Jr., 2030 North Adams Street, Suite 510, Arlington, VA 22201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Textiles and textile products and machinery, machinery parts, equipment, materials, and supplies* used in or in connection with the operation of textile mills and warehouses (except commodities the transportation of which because of size or weight require the use of special

equipment), between the plantsite of Monsanto Co., Sand Mountain Plant, approximately 10 miles northeast of Guntersville, Ala., on the one hand, and, on the other, points in Alabama, Tennessee, Mississippi, Louisiana, Virginia, Georgia, North Carolina, and South Carolina. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 81835 (Sub-No. 7), filed September 15, 1971. Applicant: MONIOWCZAK TRANSIT COMPANY, a corporation, Post Office Box 123, Bark River, MI 49807. Applicant's representative: William B. Elmer, 23801 Gratiot Avenue, East Detroit, MI 48021. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Malt beverages*, from South Bend, Ind., and St. Louis, Mo., to Escanaba, Mich., and (2) *carbonated beverages*, from Milwaukee, Wis., to Escanaba, Mich. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Lansing or Escanaba, Mich., or Milwaukee or Madison, Wis.

No. MC 83835 (Sub-No. 83), filed September 13, 1971. Applicant: WALES TRANSPORTATION, INC., Post Office Box 6186, Dallas, TX 75222. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal panels, metal insulated panels, insulation, metal windows and doors and frames therefor, and accessories* necessary for the installation and completion of the named commodities, from Pine Bluff, Ark., to points in the United States (except Alaska, Arkansas, and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., or Little Rock, Ark.

No. MC 94201 (Sub-No. 96), filed August 30, 1971. Applicant: BOWMAN TRANSPORTATION, INC., 1010 Stroud Avenue, Birmingham, AL 35903, also: Post Office Box 2188, East Gadsden, AL. Applicant's representative: Maurice F. Bishop, 327 Frank Nelson Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Animal litter, chopped, alfalfa pellets*, from the plantsite and storage facilities of the Clorox Co., at or near Atlanta, Ga., to points in Alabama, Florida, Mississippi, and Tennessee, and (2) *cleaning and bleaching compounds* (except in bulk), from the plantsite and storage facilities of the Clorox Co. at or near Atlanta, Ga., to points in Mississippi. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 95876 (Sub-No. 117), filed August 18, 1971. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, St. Cloud, MN 56301. Applicant's representative: Robert D. Gisvold, 1000 First National Bank Building, Minneapolis, MN 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Snowmobiles*, (2) *snowmobile trailers*, (3) *parts, attachments, and accessories* for the commodities described in (1) and (2) above, (4) *snowmobile clothing and accessories*, and (5) *materials, supplies and equipment* utilized in the manufacture and distribution of the commodities described in (1), (2), (3), and (4) above, between points in Minnesota, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). NOTE: Applicant states possibility of tacking exists with Sub 9, only if commodities are deemed "size and weight" or contractor's equipment. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn.

No. MC 95876 (Sub-No. 119), filed September 13, 1971. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, St. Cloud, MN 56301. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from the ports of entry on the Canada-United States boundary at or near Pigeon River, Minn., and International Falls, Minn., to points in Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Oklahoma, North Dakota, South Dakota, and Wisconsin. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn., or Washington, D.C.

No. MC 96098 (Sub-No. 55), filed August 5, 1971. Applicant: MILTON TRANSPORTATION, INC., Post Office Box 207, Milton, PA 17847. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products and materials, equipment and supplies* used or useful in the manufacture and sales of paper products, between Lock Haven, Pa., on the one hand, and, on the other, points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Maryland, Delaware, Virginia, Tennessee, West Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Kentucky, Ohio, Indiana, Illinois, Wisconsin, Michigan, New York, New Jersey, Connecticut, and the District of Columbia, under continuing contract or contracts with Hammermill Paper Co., Lock Haven, Pa. NOTE: Common control and dual operations may be involved. Applicant states that it presently holds duplicating authority under MC 96098 and MC 96098 (Sub-No. 29), such duplicating authority to be canceled if the authority sought herein is granted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 97357 (Sub-No. 42), filed September 23, 1971. Applicant: ALLYN TRANSPORTATION COMPANY, a corporation, 14011 South Central Avenue, Los Angeles, CA 90059. Applicant's representative: Carl H. Fritze, 1545 Wilshire Boulevard, Los Angeles, CA 90017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Water*, in bulk, from points in San Bernardino, Riverside, Orange, San Diego, Ventura, and Los Angeles Counties, Calif., to the Mojave Steam Electric Plant of Southern California Edison Co. located in Clark County, Nev., near Bullhead City, Ariz. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 99427 (Sub-No. 15), filed September 21, 1971. Applicant: ARIZONA TANK LINES, INC., Post Office Box 6910, Phoenix, AZ 85005. Applicant's representative: William J. Lippman, 1819 H Street NW., Washington, DC 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cottonseed oil*, in bulk, in tank vehicles, from Denver, Colo., to Gallup, N. Mex. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz.

No. MC 100666 (Sub-No. 198), filed September 7, 1971. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7666, Shreveport, LA 71107. Applicant's representative: Wilburn L. Williamson, Suite 280, National Foundation Life Center, 3535 Northwest 58th, Oklahoma City, OK 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Urethane, urethane products, roofing and roofing materials, insulating materials, composition board and gypsum products and materials*, used in the installation thereof (except the transportation of the foregoing commodities in bulk, in tank vehicles), from the plantsite of The Celotex Corp. located at or near Marrero,

La., to points in Illinois, Indiana, Kentucky, Ohio, Pennsylvania, Michigan, Wisconsin, West Virginia, and Iowa. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La., or Miami, Fla.

No. MC 102616 (Sub-No. 865), filed September 13, 1971. Applicant: COASTAL TANK LINES, INC., Post Office Box 7211, 215 East Waterloo Road, Akron, OH 44319. Applicant's representative: Harold G. Hernly, Jr., 2030 North Adams Street, Suite 510, Arlington, VA 22201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from the plantsite of Mobay Chemical Co. located in Chambers County, Tex., to points in the United States (except Alaska and Hawaii). NOTE: Common control may be involved. Applicant states that technically, the requested authority could be tacked with any of its existing authority, however, in light of the broad destination territory proposed here, no tacking is contemplated. If a hearing is deemed necessary, applicant requests it be held at Houston, Tex., or Washington, D.C.

No. MC 104149 (Sub-No. 193), filed September 14, 1971. Applicant: OSBORNE TRUCK LINE, INC., 516 North 31st Street, Birmingham, AL 35203. Applicant's representative: Maurice F. Bishop, 327 Frank Nelson Building, Birmingham, AL 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from Dothan, Ala., to points in Florida, Georgia, Mississippi, Louisiana, and Tennessee. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Montgomery, Ala., or Washington, D.C.

No. MC 105733 (Sub-No. 46), filed September 9, 1971. Applicant: H. R. RITTER TRUCKING CO., INC., 928 East Hazlewood Avenue, Rahway, NJ 07065. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, DC 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transportings: *Solvents and petroleum products*, in bulk, from Carteret and Newark, N.J., to points in Pennsylvania, New York, Maryland, Delaware, Virginia, and the District of Columbia. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points and territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the applition may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 106497 (Sub-No. 60), filed September 17, 1971. Applicant: PARKHILL TRUCK COMPANY, a corporation, Post Office Box 912, Joplin, MO 64801. Applicant's representative: A. N. Jacobs, Post Office Box 113, Joplin, MO 64801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Electrostatic precipitators and electrostatic precipitator parts*, (2) *steel siding and roofing and materials and supplies* moving in connection therewith, from Warrentown, Mo., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Washington, D.C.

No. MC 107107 (Sub-No. 414), filed September 13, 1971. Applicant: ALTERMAN TRANSPORT LINES, INC., 12805 Northwest 42d Avenue, Opa Locka, FL 33054. Applicant's representative: Ford W. Sewell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Washing and extractor machines and parts and accessories* for such machines, from New Orleans, La., to points in Florida. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories that can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 107515 (Sub-No. 777), filed September 15, 1971. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 308, Forest Park, GA 30050. Applicant's representative: Paul M. Daniell, Post Office Box 872, Atlanta, GA 30301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food, food preparations, and foodstuffs* (excluding commodities in bulk, in tank vehicles), from Champaign, Ill., to points in Indiana, Ohio, Kentucky, West Virginia, Tennessee, and Georgia. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Applicant further states that no duplicating authority is being sought. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 107515 (Sub-No. 778), filed September 15, 1971. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 308, Forest Park, GA 30050. Applicant's representative: Paul M. Daniell, Post Office Box 872, Atlanta, GA 30301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Dakota City, Nebr., to points in Florida, restricted to traffic originating at the plantsite and storage facilities utilized by Iowa Beef Processors, Inc., at or near the named origin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that no duplicating authority is being sought. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 107515 (Sub-No. 780), filed September 16, 1971. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 308, Forest Park, GA 30050. Applicant's representative: Paul M. Daniell, Post Office Box 872, Atlanta, GA 30301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from Greer, Inman, and Chesnee, S.C., to points in Michigan, Illinois, Ohio, West Virginia, Indiana, Florida, Georgia, Alabama, Mississippi, Louisiana, Arkansas, Kansas, Missouri, Nebraska, Iowa, Tennessee, and Kentucky. NOTE: Dual operations and common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states no duplicating authority sought. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 108207 (Sub-No. 335), filed September 13, 1971. Applicant: FROZEN FOOD EXPRESS, INC., 318 Cadiz Street, Post Office Box 5888, Dallas, TX 75202. Applicant's representative: J. B. Ham (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products, and articles distributed by meat packinghouses*, as described in section A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Omaha, Nebr. to Kansas City, Kans. and Kansas City, Mo., and points in their commercial zone. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 109397 (Sub-No. 261), filed September 13, 1971. Applicant: TRI-STATE MOTOR TRANSIT CO., a corporation, Post Office Box 113, Joplin, MO 64801. Applicant's representative: A. N. Jacobs (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electronic equipment, machinery and systems*, between points in New Hampshire, Massachusetts, and Maine, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). NOTE: Common control may be involved. Applicant states that the requested authority can be tacked with its existing authority under MC 109397 (Sub-No. 195), where commodities are of such size or weight as to require special equipment or special handling. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C. or Boston, Mass.

No. MC 109689 (Sub-No. 228), filed August 25, 1971. Applicant: W. S. HATCH CO., a corporation, 643 South 800 West, Woods Cross, UT 84087. Applicant's representative: Mark K. Boyle, 345 South State Street, Salt Lake City, UT 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulfuric acid*, in bulk, from Thompson and Brendel Siding, Utah, to points in Grand County, Utah. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 110420 (Sub-No. 642), filed September 13, 1971. Applicant: QUALITY CARRIERS, INC., I-94 and County Highway C, Bristol, WI. Applicant's representative: Allan B. Torhorst, Post Office Box 307, Burlington, WI 53105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Grain products and blends* thereof, in bulk, from Keokuk, Iowa to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories that can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Milwaukee, Wis.

No. MC 110563 (Sub-No. 73), filed September 23, 1971. Applicant: COLDWAY FOOD EXPRESS, INC., Ohio Building, Post Office Box 747, Sidney, OH 45365. Applicant's representative: Joseph M. Scanlan, 111 West Washington, Chicago, IL 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides, pelts, and commodities in bulk), (1) from Greeley, Colo., to points in Connecticut, Massachusetts, Pennsylvania, New Jersey, New York, and Rhode Island, Maryland, and the District of Columbia, and (2) from York, Nebr., to points in Illinois, Indiana, North Carolina, South Carolina, Ohio, Kentucky, Michigan, Tennessee, Georgia, Florida, Wisconsin, and Kansas. NOTE: Applicant states that the requested authority can be joined at Cleveland, Ohio or Chicago, Ill., but that it has no present intention to tack. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., or Lincoln, Nebr.

No. MC 111485 (Sub-No. 16), filed September 22, 1971. Applicant: PASCHALL TRUCK LINES, INC., Murray, Ky. Applicant's representative: Leonard A. Jaskiewicz, 1730 M Street NW., Suite 501, Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, with the usual exceptions, serving Hazel and Grand River, Ky., as off-route points in connection with carriers presently authorized operations in No. MC 111485 and subs thereunder. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or St. Louis, Mo.

No. MC 111540 (Sub-No. 8), filed August 19, 1971. Applicant: LOYD TRUCK LINE, INC., Post Office Box 126, Orrick, MO 64077. Applicant's representative: Tom B. Kretsinger, 450 Professional Building, 1102 Grand Avenue, Kansas City, MO 64106. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Pipe, plate or sheet* (culvert or spiral) *steel roof decking and steel roofing*, from the plant and warehouse facilities of Wheeling Corrugating Co., Inc., at or near Lenexa, Kans., to points in Arkansas, Colorado, Iowa, Louisiana, Minnesota, Missouri, Nebraska, Oklahoma, and Texas (except metal culvert pipe to points in Oklahoma), under contract with Wheeling Corrugating Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 111812 (Sub-No. 436), filed August 17, 1971. Applicant: MIDWEST COAST TRANSPORT, INC., 405½ East Eighth Street, Post Office Box 1233, Sioux Falls, SD 57101. Applicant's representative: Donald L. Stern, 530 Univac Building, 1700 West Center Road, Omaha, NE 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs, fresh, canned and frozen*, from Kennett Square, Nottingham, Kelton, and West Grove, Pa., to points in California, Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Nevada, North Dakota, Ohio, Oregon, South Dakota, Utah, Washington, and Wisconsin; and (2) *canned and frozen foodstuffs and fresh and frozen mushrooms*, from Oxford, Pa., to points in Illinois, Indiana, Iowa, Michigan, Minnesota, Nebraska, North Dakota, Missouri, Ohio, South Dakota, Wisconsin, and Kansas. NOTE: Applicant states several subs could be tacked at destination States but the service performed would only duplicate the service herein. No tacking is intended. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 111812 (Sub-No. 438), filed September 13, 1971. Applicant: MIDWEST COAST TRANSPORT, INC., 405½ East Eighth Street, Post Office Box 1233, Sioux Falls, SD 57101. Applicant's representative: Donald L. Stern, 530 Univac Building, 7100 West Center Road, Omaha, NE 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Carlstadt, N.J., to points in Minnesota, North Dakota, South Dakota, Wisconsin, Missouri, Oregon, and California. NOTE: Applicant states that the requested authority could be joined at Minnesota with several subs to provide a through service on frozen foods and meats to States for which authority is not sought herein, also at South Dakota on certain commodities in the same manner. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 112520 (Sub-No. 248), filed September 13, 1971. Applicant: McKENZIE TANK LINES, INC., Post Office Box 1200, Tallahassee, FL 32302. Applicant's representative: W. Guy McKenzie, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from points in Duval County, Fla., to points in Georgia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 113828 (Sub-No. 197), filed September 9, 1971. Applicant: O'BOYLE TANK LINES, INCORPORATED, Post Office Box 30006, Washington, DC 20014. Applicant's representative: Michael A. Grimm (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sugars, syrups, and blends thereof*, in bulk, from Philadelphia, Pa., to points in New Jersey.

NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114004 (Sub-No. 107), filed September 9, 1971. Applicant: CHANDLER TRAILER CONVOY, INC., 8828 New Benton Highway, Little Rock, AR 72209. Applicant's representative: W. G. Chandler (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings*, in sections, in initial movements, from points in Barry County and Newton County, Mo., to points in Arkansas, Illinois, Iowa, Kentucky, Louisiana, Kansas, Mississippi, Nebraska, Oklahoma, Tennessee, and Texas. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Springfield, Mo.

No. MC 114004 (Sub-No. 108), filed September 13, 1971. Applicant: CHANDLER TRAILER CONVOY, INC., 8828 New Benton Highway, Little Rock, AR 72209. Applicant's representative: W. G. Chandler (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements, and *buildings*, in sections, in initial movements, from points in Mayes County, Okla., to points in the United States, including Alaska but excluding Hawaii. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Tulsa, Okla.

No. MC 114632 (Sub-No. 49), filed September 16, 1971. Applicant: APPLE LINES, INC., Post Office Box 507, Madison, SD 57042. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, dairy products and articles distributed by meat packinghouses*, as described in sections A, B, and C of appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Tama, Iowa to points in Illinois, Indiana, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Wisconsin, and Oklahoma. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds contract carrier authority under MC 129706, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa or Minneapolis, Minn.

No. MC 114734 (Sub-No. 25), filed September 1, 1971. Applicant: D AND J TRANSFER CO., a corporation, Sherburn, Minn. 56171. Applicant's representative: Richard A. Peterson, 521 South 14th Street (Post Office Box 80806), Lincoln, NE 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Denison, Fort Dodge, LeMars, and Mason City, Iowa, Luverne, Minn., and Dakota City and West Point, Nebr., to points in Illinois and Wisconsin, under contract with Iowa Beef Processors, Inc., restricted to traffic originating at the plantsites and storage facilities of Iowa Beef Processors, Inc., at or near the named origins. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Minneapolis, Minn.

No. MC 115180 (Sub-No. 78), filed September 1, 1971. Applicant: ONLEY REFRIGERATED TRANSPORTATION, INC., 265 West 14th Street, New York, NY 10014. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Denison, Fort Dodge, LeMars, and Mason City, Iowa; Emporia, Kans.; Dakota City and West Point, Nebr., and Luverne, Minn., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Virginia, West Virginia, and the District of Columbia, restricted to traffic originating at the plantsite and storage facilities of Iowa Beef Processors, Inc., at or near the above-named origins. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Chicago, Ill.

No. MC 116073 (Sub-No. 193), filed September 10, 1971. Applicant: BARRETT MOBILE HOME TRANSPORT, INC., Post Office Box 919, Moorhead, MN 56560. Applicant's representative: Robert G. Tessar, 1819 Fourth Avenue South, Kegel Plaza, Moorhead, MN 56560. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements and *buildings complete or in sections*, from points in Franklin County, Va., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 116073 (Sub-No. 194), filed September 9, 1971. Applicant: BARRETT MOBILE HOME TRANSPORT, INC., Post Office Box 919, Moorhead, MN 56560. Applicant's representative: Robert G. Tessar, 1819 Fourth Avenue South, Kegel Plaza, Moorhead, MN 56560. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, and *buildings*, in sections mounted on wheeled undercarriages, from points in Grant County, Wis., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 116077 (Sub-No. 318), filed September 3, 1971. Applicant: ROBERTSON TANK LINES, INC., 2000 West Loop South, Suite 1800, Houston, TX 77027. Applicant's representative: Pat H. Robertson, Suite 401, First National Life Building, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from the plantsite of Mobay Chemical Co., Chambers County, Tex., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Houston, Tex., or New Orleans, La.

No. MC 116254 (Sub-No. 127), filed September 15, 1971. Applicant: CHEM-HAULERS, INC., Post Office Drawer M, Sheffield, AL 35660. Applicant's representative: Walter Harwood, 1822 Parkway Towers, Nashville, Tenn. 37219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products, and chemicals*, in bulk, in tank vehicles, from Cordova and Lynn Park, Ala., to points in Florida, Georgia, Mississippi, Tennessee, North Carolina, and South Carolina. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn., Birmingham, Ala., or Memphis, Tenn.

No. MC 116564 (Sub-No. 22), filed September 2, 1971. Applicant: McCURDY TRUCKING, INC., Post Office Box 388, Latrobe, PA. Applicant's representative: Paul F. Sullivan, 711 Washington Building, 15th and New York Avenue NW., Washington, DC 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, and

related advertising material moving therewith, from Pittsburgh, Pa., to points in Maine, Massachusetts, Connecticut, Vermont, New Hampshire, and Rhode Island, restricted to service performed under contract with Pittsburgh Brewing Co. NOTE: Applicant holds common carrier authority under MC 119118 and subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa., or Washington, D.C.

No. MC 117799 (Sub-No. 17), filed August 19, 1971. Applicant: BEST WAY FROZEN EXPRESS, INC., 3033 Excelsior Boulevard, Minneapolis, MN 55416. Applicant's representative: Patrick M. Porritt (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs*, and (2) *agricultural commodities* the transportation of which falls within the partial exemption of section 203(B)(6) of the Interstate Commerce Act, when moving in mixed loads with commodities specified in (1) above, from points in Pennsylvania, to points in Washington, Oregon, California, Nevada, Idaho, Arizona, New Mexico, Texas, Arkansas, Louisiana, Montana, Wyoming, Colorado, Utah, North Dakota, South Dakota, Nebraska, Kansas, Missouri, Iowa, Minnesota, Wisconsin, Illinois, Indiana, Oklahoma, and Michigan. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 117799 (Sub-No. 18), filed September 17, 1971. Applicant: BEST WAY FROZEN EXPRESS, INC., 3033 Excelsior Boulevard, Minneapolis, MN 55402. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products and articles distributed by meat packinghouses* as described in sections A, B, and C of Appendix I to the report in *descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk), from St. Louis, Mo., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, West Virginia, and the District of Columbia. NOTE: Common control and dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Chicago, Ill.

No. MC 118142 (Sub-No. 42), filed September 9, 1971. Applicant: M. BRUENGER & CO., INC., 6330 North Broadway, Wichita, KS 67219. Applicant's representative: M. Bruenger (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts and articles distributed by meat packinghouses* as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Dodge City, Kans., to points in Kansas, Louisiana, Texas, Arizona, New Mexico, California, Nevada, Oregon, Washington, and Utah. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Wichita, Kans.

No. MC 118142 (Sub-No. 43), filed September 20, 1971. Applicant: M. BRUENGER & CO., INC., 6330 North Broadway, Wichita, Kans. 67219. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, KS 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides, dry acids, and chemicals, in bulk, and liquid commodities, in bulk, in tank vehicles), from Holton, Kans., to points in Louisiana, Mississippi, Alabama, Florida, Georgia, and Tennessee. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 119774 (Sub-No. 32), filed September 13, 1971. Applicant: MARY ELLEN STIDHAM, N. M. STIDHAM, A. E. MANKINS (INEZ MANKINS, EXECUTRIX), AND JAMES E. MANKINS, SR., a partnership doing business as: EAGLE TRUCKING COMPANY, Post Office Box 471, Kilgore, TX 75662. Applicant's representative: Bernard H. English, 6270 Firth Road, Fort Worth, TX 76116. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tanks and parts thereof*, from Shreveport, La., to all points in Missouri. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Shreveport or Baton Rouge or New Orleans, La., or Dallas, Tex.

No. MC 119777 (Sub-No. 225), filed September 1, 1971. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Drawer L, Highway 85 East, Madisonville, KY 42431. Applicant's representative: R. E. Butler, 36 Union Street, Madisonville, KY 42431. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bolts, nuts, washers, shells, plates, couplings, extensions and rods* (except commodities which because of size or weight require the use of special equipment), from the plantsite and warehouse facilities of Birmingham Bolt Co., at or near Birmingham, Decatur, and Dora, Ala., and from the plantsite and warehouse facilities of Republic Steel Co., at or near Gadsden, Ala., to points in the United States (including Alaska and Hawaii). NOTE: Applicant states it has existing authority which could be tacked with the requested authority but applicant has no present intention to tack, and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Applicant holds contract carrier authority under MC 126970 and subs, therefore dual operations and common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Nashville, Tenn.

No. MC 120028 (Sub-No. 5), filed September 17, 1971. Applicant: CRAW CARTING, INC., 200 Exchange Street, Rochester, NY 14614. Applicant's representative: Raymond A. Richards, 23 West Main Street, Webster, NY 14580. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between points in Steuben County, N.Y., on the one hand, and, on the other, points in Monroe County, N.Y., restricted to traffic having a prior or subsequent movement by rail. NOTE: Applicant states that the requested authority can be tacked with its existing authority at Rochester, N.Y., but does not identify the points or territories which can be served through tacking. If a hearing is deemed necessary, applicant requests it be held at Rochester or Syracuse, N.Y.

No. MC 123407 (Sub-No. 94), filed September 15, 1971. Applicant: SAWYER TRANSPORT, INC., 2424 Minnehaha Avenue South, Minneapolis, MN 55404. Applicant's representative: Robert W. Sawyer (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood, composition board, wood mouldings, also materials and supplies*, used in the installation thereof, from Charleston and Orangeburg, S.C., to points in Illinois, Indiana, Iowa, Minnesota, North Dakota, Ohio, Michigan, South Dakota, and Wisconsin. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Cincinnati, Ohio or Washington, D.C.

No. MC 124078 (Sub-No. 498), filed September 13, 1971. Applicant: SCHWERMAN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, WI 53246. Applicant's representative: James R. Ziperski (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Commodities* in bulk, having an immediately prior or subsequent movement by rail over the lines of the Chicago, Milwaukee, St. Paul, and Pacific Railroad Co., between points in Illinois, Indiana, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Upper

Peninsula of Michigan, and Wisconsin, restricted against the transportation of cement between points in Iowa and South Dakota, and lime and limestone products between points in South Dakota. NOTE: Common control may be involved. Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124078 (Sub-No. 499), filed September 22, 1971. Applicant: SCHERMAN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, WI 53246. Applicant's representative: Richard H. Prevette (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oils and shortening*, in bulk, in tank vehicles, from Louisville, Ky., to points in the Lower Peninsula of Michigan and Ohio. NOTE: Common control may be involved. Applicant states tacking is possible with its sub 225, from Tennessee (except Memphis) at Louisville, Ky., to serve Ohio and Lower Michigan, however, tacking not intended. If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio.

No. MC 124174 (Sub-No. 86), filed September 7, 1971. Applicant: MOMSEN TRUCKING CO., a corporation, 2405 Hiway Boulevard, Spencer, IA 51301. Applicant's representative: Marshall Becker, 530 Univac Building, 7100 West Center Road, Omaha, NE 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities because of size or weight require the use of special equipment, and commodities in bulk in tank vehicles), between Casey, Iowa on the one hand, and, on the other, points in that part of Iowa, Kansas, Missouri, and Nebraska, within 60 miles of Auburn, Nebr., including Auburn, Nebr. NOTE: Applicant states that the requested authority can be tacked or joined at Casey, Iowa. Applicant further states that no duplicating authority is being sought. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Kansas City, Mo.

No. MC 124174 (Sub-No. 87), filed September 7, 1971. Applicant: MOMSEN TRUCKING CO., a corporation, 2405 Hiway Boulevard, Spencer, IA 51301. Applicant's representative: Marshall Becker, 530 Univac Building, 7100 West Center Road, Omaha, NE 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, between the plantsite and warehouse facilities of Commercial Honing Co., Inc., at or near Hamlet, Ind., on the one hand, and, on the other, points in Colorado, Iowa, Kansas, Kentucky Minnesota, Missouri, Nebraska, Ohio, Oklahoma, South Dakota, Tennessee, Lone Star Steel Corp. at or near Lone Star, Tex., and Toccoa, Ga. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Omaha, Nebr.

No. MC 124174 (Sub-No. 88), filed September 7, 1971. Applicant: MOMSEN TRUCKING CO., a corporation, 2405 Hiway Boulevard, Spencer, IA 51301. Applicant's representative: Marshall Becker, 530 Univac Building, 7100 West Center Road, Omaha, NE 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Construction materials, constractors equipment, fabricated steel, pipe, furnaces, heating and cooling equipment, and materials* and *supplies* used in the manufacture thereof (except commodities in bulk and articles which because of size or weight require the use aof special equipment), between points in Illinois, Indiana, Iowa, Kansas, Kentucky, Minnesota, Missouri, Nebraska, North Carolina, Ohio, Pennsylvania, and Tennessee, restricted to traffic to or from the plant, plantsites, manufacturing, assembling, shipping, warehousing, storage facilities, supply points and construction or job sites of Dravo Corp. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa., or Chicago, Ill.

No. MC 124212 (Sub-No. 55), filed September 10, 1971. Applicant: MITCHELL TRANSPORT, INC., 21111 Chagrin Boulevard, Cleveland, OH 44122. Applicant's representative: J. A. Kundtz, 1100 National City Bank Building, Cleveland, OH 44114. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement mill waste and stack dust*, in bulk (1) from Cementon, and Alsen, N.Y., to points in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont, (2) from Jamesville, N.Y., to points in Pennsylvania, (3) from Lime Kiln, and Union Bridge, Md., to points in Pennsylvania, Delaware, Maryland, Virginia, West Virginia, New Jersey and the District of Columbia, (4) from points in Lawrence County, Ind., to points in Illinois, Kentucky, and Ohio, (5) from Mason City, Iowa to points in Minnesota, North Dakota, South Dakota, and Wisconsin, and (6) from Metaline Falls, Wash., to points in Oregon, Idaho, and Montana. NOTE: Common control and dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states no duplicating authority sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124221 (Sub-No. 33), filed September 10, 1971. Applicant: HOWARD BAER, 821 East Dunne Street, Morton, IL 61550. Applicant's representative: Robert W. Loser, 1001 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except meat, meat byproducts, fish, fowl, canned vegetables, canned soups, frozen vegetables, bakery goods, and consumer candy), *stabilizers, confections, food acids, dry ice, ice cream containers, milk containers, emulsifiers, and office supplies*, in vehicles equipped with mechanical refrigeration, (1) between points in Alabama, Delaware, District of Columbia, Florida, Georgia, Louisiana, North Carolina, Maryland, New Jersey, New York, Pennsylvania, South Carolina, and Virginia. Also, (2) between points in States named in (1) above, and points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, South Dakota, Tennessee, and Wisconsin. Restriction: The operations authorized above are subject to the following conditions: Said operations are restricted against the transportation of shipments in bulk. Said operations are limited to a transportation service to be performed under a continuing contract or contracts with Sealtest Foods Division Kraftco Corp. Said operations are restricted to the transportation of shipments which originate at or are destined to the sites of the plants and/or branch distribution facilities of Sealtest Foods Division Kraftco Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.; or Indianapolis, Ind., or Washington, D.C.

No. MC 124221 (Sub-No. 34), filed September 20, 1971. Applicant: HOWARD BAER, 821 East Dunne Street, Morton, IL 61550. Applicant's representative: Robert W. Loser, 1001 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses*, and, in connection therewith, *equipment, materials, and supplies used in the conduct of such business*, between points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and the District of Columbia. Restriction: The operations proposed above are subject to the following conditions and restrictions: (1) This authority will be restricted against the transportation of: (1) *Dairy products*, as described in section B of appendix I to the Report in Descriptions in Motor Carrier Certificates 61 M.C.C. 209; and, *imitation dairy products* (Melerin); and, (2) *Cottage*

cheese, yogurt, ice cream, ice cream products, sherbets, water ices, and water ice products, in containers; and, (3) *Fruit drinks and juices, fresh and frozen,* in containers, which originate at the plantsite, warehouse, and storage facilities of the Kroger Co. at Indianapolis, Ind.; (2) Said operations are restricted against the transportation of shipments in bulk; (3) Said operations are limited to a transportation service to be performed under a continuing contract or contracts with The Kroger Co., in refrigerated equipment; (4) Said operations are restricted to the transportation of shipments which originate at or are destined to the plants, warehouses, distribution facilities, and stores of The Kroger Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Cincinnati, Ohio, Indianapolis, Ind., or Washington, D.C.

No. MC 124221 (Sub-No. 35), filed September 20, 1971. Applicant: HOWARD BAER, 821 East Dunne Street, Morton, IL 61550. Applicant's representative: Robert W. Loser, 1001 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: (1) *Dairy products,* as described in section B of Appendix I to the report and Descriptions in Motor Carrier Certificate, 61 M.C.C. 209; and, *imitation dairy products* (Melerin); (2) *Cottage cheese, yogurt, ice cream, ice cream products, sherbets, water ices, and water ice products,* in containers; and, (3) *Fruit drinks and juices, fresh and frozen,* in containers, from the plantsite, warehouse, and storage facilities of The Kroger Co., Indianapolis, Ind., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and the District of Columbia. Restriction: Restricted to a transportation service to be performed under a continuing contract or contracts with The Kroger Co., in refrigerated equipment. NOTE: If a hearing is deemed necessary, applicant requests it be held at Cincinnati, Ohio; Indianapolis, Ind., or Washington, D.C.

No. MC 124711 (Sub-No. 12), filed September 8, 1971. Applicant: BECKER AND SONS, INC., 2643 West Central, El Dorado, KS 67042. Applicant's representative: Erle W. Francis, Suite 719, 700 Kansas Avenue, Topeka, KS 66603. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Dry chemicals, including fertilizer and fertilizer materials,* from Kansas City, Mo., to points in Iowa, Kansas, Nebraska, and Oklahoma. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Topeka, Kans.

No. MC 125497 (Sub-No. 13), filed August 19, 1971. Applicant: L. WOODS & SON TRANSPORT LTD., 5005 Irwin Avenue, La Salle, PQ, Canada. Applicant's representative: S. Harrison Kahn, Suite 733 Investment Building, Washington, D.C. 20005. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Prestressed and precast concrete panels and structural members,* from ports of entry on the international boundary line between the United States and Canada at Norton, Derby Line, and Highgate Springs, Vt., and Rouses Point, Champlain, and Trout River, N.Y., to points in Pennsylvania and New Jersey, with no transportation for compensation on return except as otherwise authorized, restricted to shipments originating in Canada and destined to points in the United States. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 126291 (Sub-No. 16), filed September 9, 1971. Applicant: QUIRION TRANSPORT, INC., La Guadelopue, Frontenac County P.Q. Canada. Applicant's representative: Frank J. Weiner, 6 Beacon Street, Boston, MA 92108. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Woodpulp board,* from Lawrence, Mass., to ports of entry on the international boundary line between the United States and Canada at or near Rouses Point, N.Y. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass., or Washington, D.C.

No. MC 126340 (Sub-No. 3), filed September 23, 1971. Applicant: MISSION VAN & STORAGE COMPANY, INC., 6750 Federal Boulevard, San Diego, CA 92115. Applicant's representative: Alan F. Wohlstetter, 1700 K Street NW., Washington, DC 20006. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Used household goods,* between points in San Diego, Imperial, Orange, Los Angeles, Riverside, and San Bernardino Counties, Calif., restricted to the transportation of traffic having a prior or subsequent movement, in containers, and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization or unpacking, uncrating or decontainerization of such traffic. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 127099 (Sub-No. 14) (Amendment) filed April 2, 1971, published in the FEDERAL REGISTER issue of April , 1971 and republished in part as amended this issue. Applicant: ROBERT NEFF & SONS, INC., 132 Shawnee Avenue, Post Office Box 2015, Zanesville, OH 43701. Applicant's representative: James R. Stiverson, 50 West Broad Street, Columbus, OH 43215. NOTE: The purpose of this partial republication is to reflect the origin point as *Wood-Ridge,* Bergen County, N.J., in lieu of Woodbridge, N.J., as shown in the previous publication. The rest of the application remains as previously published.

No. MC 127137 (Sub-No. 2) (Correction) filed August 16, 1971, published in the FEDERAL REGISTER issue of September 23, 1971 and republished in part as corrected this issue. Applicant: T. C. ASHLEY OF FREETOWN, INC., Dr. Bradley Road, East Freetown, MA 02717. Applicant's representative: Russell B. Curnett, 36 Circuit Drive, Edgewood Station, Providence, R.I. 02905. NOTE: The sole purpose of this partial republication is to add Massachusetts as a destination State in (1) of the application. The rest of the application remains as previously published.

No. MC 128527 (Sub-No. 20) (Correction), filed August 17, 1971, published in the FEDERAL REGISTER issue of September 30, 1971 and republished in part as corrected this issue. Applicant: MAY TRUCKING COMPANY, a corporation, Post Office Box 398, Payette, Idaho 83661. Applicant's representative: Kenneth G. Bergquist, Post Office Box 1775, Boise, ID 83701. NOTE: The purpose of this partial republication is to reflect name of applicants as: *MAY* TRUCKING COMPANY in lieu of MAX TRUCKING COMPANY as erroneously shown in the previous publication. The rest of the application remains as previously published.

No. MC 129336 (Sub-No. 3), filed September 24, 1971. Applicant: CEMENT CARTAGE CO., LTD., Butternut Ridge, Havelock, New Brunswick, Canada. Applicant's representative: William D. Traub, 10 East 40th Street, New York, NY 10016. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: (1) *Cement,* in bags and in bulk, and (2) *quicklime,* in bulk, in tank vehicles, from ports of entry on the International Boundary line between the United States and Canada located in Maine to points in Aroostook, Hancock, Penobscot, and Washington Counties, Maine, under contract with Maritime Cement Co., Ltd. and Havelock Processing Ltd. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass., or New York, N.Y.

No. MC 133035 (Sub-No. 16), filed September 22, 1971. Applicant: DILTS TRUCKING, INC., Route 1, Crescent, IA 51526. Applicant's representative: Donald L. Stern, 530 Univac Building, Omaha, NE 68106. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Dry chemicals,* including fertilizer and fertilizer materials, from Kansas City, Mo., to points in Iowa, Nebraska, and Oklahoma. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 133095 (Sub-No. 11), filed September 16, 1971. Applicant: TEXAS CONTINENTAL EXPRESS, INC., Post Office Box 434, Euless, TX 76039. Applicant's representative: Rocky Moore

(same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Englewood and Port Newark, N.J., to Dallas, Tex. NOTE: Applicant states that the requested authority cannot be tacked with its existing application. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Dallas, Tex.

No. MC 133095 (Sub-No. 12), filed September 16, 1971. Applicant: TEXAS CONTINENTAL EXPRESS, INC., Post Office Box 434, Euless, TX 76039. Applicant's representative: Rocky Moore (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Dallas, Tex., to points in Arkansas, Louisiana, Oklahoma, and New Mexico. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Dallas, Tex.

No. MC 133095 (Sub-No. 13), filed September 21, 1971. Applicant: TEXAS-CONTINENTAL EXPRESS, INC., Post Office Box 434, Euless, TX 76039. Applicant's representative: Rocky Moore (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Johnstown, N.Y. and Moonachie, N.J., to points in Arkansas, Illinois, Kansas, Louisiana, Mississippi, Missouri, New Mexico, Oklahoma, and Texas. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 133192 (Sub-No. 5), filed August 18, 1971. Applicant: LARRY TREBINO CONSTRUCTION COMPANY, INC., 5 Cypress Drive, Burlington, MA 01803. Applicant's representative: Arthur A. Wentzell, Post Office Box 764, Worcester, MA 01613. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Rock salt*, in bulk, from Portsmouth, N.H., to points in Essex, Middlesex, and Suffolk Counties, Mass., under contract with The Chemical Corp., 54 Waltham Avenue, Springfield, Mass. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 133419 (Sub-No. 3), filed September 17, 1971. Applicant: WILLIAM PFOHL TRUCKING CORP., 83 Pfohl Road, Cheektowaga, NY 14225. Applicant's representative: Edward B. Murphy, 1103 Liberty Bank Building, Buffalo, N.Y. 14202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum rock*, in bulk, in dump vehicles, from Buffalo, N.Y., to Clarence, Erie County, N.Y. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 133867 (Sub-No. 2), filed August 23, 1971. Applicant: STARLING TRANSPORT LINES, INC., 3724 U.S. Highway No. 1, Fort Pierce, FL 33450. Applicant's representative: John P. Bond, 30 Giralda Avenue, Coral Gables, FL 33134. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Frozen dinners* and (2) *Commodities*, the transportation of which is otherwise exempt from economic regulation when transported at the same time and in the same vehicle with (1) above, from Highland, N.Y., to points in Oregon, Idaho, Montana, Wyoming, Colorado, Utah, Nevada, Arizona, New Mexico, Nebraska, North Dakota, South Dakota, Iowa, Arkansas, North Carolina, South Carolina, Virginia, and West Virginia, under contract with Food Ways, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Miami, Fla., or Washington, D.C.

No. MC 133967 (Sub-No. 10), filed September 23, 1971. Applicant: JOHN R. McCORMICK, doing business as McCORMICK TRUCKING, Route 1, Catawba, WI 54515. Applicant's representative: Rolfe E. Hanson, 121 West Doty Street, Madison, WI 53703. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper products*, from Ladysmith, Wis., to points in Alabama, Arkansas, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and Wyoming, and (2) *materials and supplies* used in the manufacture and distribution of the commodities named in item (1) above, from points in the destination States named in item (1) above, to Ladysmith, Wis., under contract with Peavey Paper Mills, Inc., Ladysmith, Wis. NOTE: If a hearing is deemed necessary, applicant requests it be held at Eau Claire or Madison, Wis.

No. MC 134209 (Sub-No. 2), filed August 18, 1971. Applicant: FRED F. CLASSEY, doing business as AIRPORT SERVICE, Post Office Box 151, Hickory, NC 28601. Applicant's representative: A. W. Flynn, Jr., Post Office Box 180, Greensboro, NC. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except articles of unusual value, high explosives, household goods, commodities in bulk, and commodities requiring special equipment), between the Douglas Municipal Airport in Mecklenburg County, N.C., and the Hickory Municipal Airport in Catawba and Burke Counties, N.C., on the one hand, and, on the other, points in Watauga, Avery, Ashe, Wilkes, Yancey, Mitchell, and Rutherford Counties, N.C., restricted to the transportation of shipments having an immediately prior or subsequent movement by air. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C.

No. MC 134251 (Sub-No. 1), filed September 13, 1971. Applicant: BERNARD VANCE, doing business as VANCE MOTORS, 2405 Calumet, Hammond, IN. Applicant's representative: Philip A. Lee, 110 South Dearborn Street, Chicago, IL 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used motor vehicles*, in secondary movements, by the truckaway method, to be used as replacements for wrecked or disabled motor vehicles, and *wrecked, disabled, and repossessed motor vehicles, including trailers*, by wrecker equipment only, from points in Indiana, to points in Illinois, Michigan, Ohio, Wisconsin, and Kentucky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 134547 (Sub-No. 1), filed September 15, 1971. Applicant: BILBO TRANSPORTS, INC., 2722 Singleton Boulevard, Dallas, TX 75212. Applicant's representative: Austin L. Hatchell, 1102 Perry Brooks Building, Austin, TX 78701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Gypsum and gypsum products and materials and supplies*, used in the installation and distribution thereof (except commodities in bulk), from Acme, Tex., to points in Arkansas, Colorado, Kansas, Louisiana, Mississippi, Missouri, Oklahoma, and Tennessee; and (2) *materials and supplies*, used in the manufacture and distribution of gypsum and gypsum products (except commodities in bulk) from the destination States named in (1) above to Acme, Tex., under a continuing contract with Georgia-Pacific Corp. NOTE: Dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 134599 (Sub-No. 31), filed September 23, 1971. Applicant: INTERSTATE CONTRACT CARRIER CORP., Post Office Box 748, Salt Lake City, UT 84110. Applicant's representative: Duane Acklie, Post Office Box 80806, Lincoln, NE 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Games and toys, and advertising and promotional matter*, when moving at the same time and in the same vehicle with games and toys, from City of Industry and Compton, Calif., to points in Washington, Oregon, Idaho, Nevada, Utah, and Colorado, under continuing contract with Mattel, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr., or Denver, Colo.

No. MC 134776 (Sub-No. 14), filed September 13, 1971. Applicant: MILTON TRUCKING, INC., Post Office Box 207,

Milton, PA 17847. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as is sold, used, or dealt in by mail-order business houses, between Baltic, Conn.; Webster, Mass.; and White Plains, N.Y., on the one hand, and, on the other, points in Ohio, Illinois, Indiana, Michigan, Wisconsin, Georgia, and Texas, under a continuing contract with Bevis Industries, Inc., and its subsidiaries. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 134776 (Sub-No. 15), filed September 13, 1971. Applicant: MILTON TRUCKING, INC., Post Office Box 207, Milton, PA 17847. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Scrap paper*, from points in Rhode Island to the plantsite of National Gypsum Co., New Columbia, Pa., under a continuing contract with National Gypsum Co. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 134967 (Sub-No. 1), filed June 9, 1971. Applicant: CHARLES B. McGEE, doing business as C. McGEE TRUCKING, 566 North Lombard Street, Portland, OR 97217. Applicant's representative: Thomas G. Karter, 4410 Northeast Fremont Street, Portland, OR 97213. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Knocked down pole buildings and materials, equipment and supplies*, pertaining to construction, between points in Colorado, Idaho, Montana, Nevada, Oregon, Utah, Washington, California, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 135034 (Sub-No. 3), filed September 17, 1971. Applicant: KAPE EXPRESS, INC., Post Office Box 5773, Toledo, OH 43613. Applicant's representative: Paul F. Beery, 88 East Broad Street, Suite 1660, Columbus, OH 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Laboratory and museum furniture, fixtures and equipment, and parts and accessories therefor*, between Adrian, Mich., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), under contract with Kewaunee Scientific Equipment Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 135070 (Sub-No. 2), filed September 7, 1971. Applicant: JAY LINES, INC., 720 North Grand Street, Post Office Box 1644, Amarillo, TX 79105. Applicant's representative: Duane W. Acklie, 521 South 14th Street, Post Office Box 806, Lincoln, NE 63501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Playground apparatus and children's recreational equipment, and gas lite posts*, from Bossier City, La., to points in Arizona, California, Colorado, Idaho, Kansas, Montana, New Mexico, Nebraska, Nevada, Oklahoma, Oregon, Texas, Utah, Washington, and Wyoming. NOTE: Applicant also holds contract carrier authority under MC 134323 and subs, therefore dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., Omaha, Nebr., or Lincoln, Nebr.

No. MC 135617 (Sub-No. 1), filed August 18, 1971. Applicant: LIL'S TRUCKING SERVICE, INC., 808 West Merrick Road, Valley Stream, NY. Applicant's representative: Samuel B. Zinder, Station Plaza East, Great Neck, N.Y. 11021. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Radios, televisions, hi-fi equipment, tape recorders and parts and materials thereof*, between Moonachie, N.J. and New York, N.Y., for the account of Sony Corporation of America. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 135861 (Sub-No. 2), filed September 9, 1971. Applicant: LISA MOTOR LINES, INC., 28th and Main Streets, Fort Worth, TX 76106. Applicant's representative: J. Max Harding, 605 South 14th Street, Post Office Box 82028, Lincoln, NE 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts and articles distributed by meat packinghouses*, as defined in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from plantsites and storage facilities utilized by Missouri Beef Packers, Inc., at or near Friona and Plainview, Tex., to points in Connecticut, Maryland, Massachusetts, New Jersey, New York, Pennsylvania (except Pittsburgh), Rhode Island, Virginia, West Virginia, and the District of Columbia, under contract with Missouri Beef Packers, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 135946 (Sub-No. 2), filed September 1, 1971. Applicant: FRANK CAPRIO, JR., doing business as FRAN'S TRUCKING COMPANY, Post Office Box 69, Parlin, NJ 08859. Applicant's representative: Robert B. Pepper, 174 Brower Avenue, Edison, NJ 08817. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Sand*, in bulk, in dump vehicles, from the facilities of Central Jersey Sand Fill, at Sayreville, N.J., to New York, N.Y., under contract with Central Jersey Sand Fill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or New York, N.Y.

No. MC 135965 (Correction), filed August 16, 1971, published in the FEDERAL REGISTER issues of September 30, 1971, and October 14, 1971, and republished in part, as corrected, this issue. Applicant: J. P. WIEST, doing business as WIEST TRUCKING, 1509 Western Park Village, Jamestown, ND 58401. Applicant's representative: Michael E. Miller, 502 First National Bank Building, Fargo, N. Dak. 58102. NOTE: The sole purpose of this partial republication is to reflect the destination point as Maddock, N. Dak., in lieu of Maddox, N. Dak., which was erroneously shown in the original publication. The rest of the application remains as previously published.

No. MC 135989, filed August 26, 1971. Applicant: COAST EXPRESS, INC., 2422 South Peck Road, Whittier, CA 90601. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Chicago, IL 60602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Such commodities* as are dealt in by manufacturers and distributors of automotive parts and accessories, from points in Arkansas, Georgia, Illinois, Indiana, Iowa, Kentucky, Michigan, Missouri, Nebraska, Ohio, Rhode Island, Tennessee, Texas, Utah, and Wisconsin to Phoenix and Tucson, Ariz.; Boise, Idaho; McMinnville, Tualation, and Portland, Oreg.; El Paso, Tex.; Clearfield and Salt Lake City, Utah; Battleground, Chehalis, Olympia, and Seattle, Wash.; and points in California; (2) (a) *Equipment, furniture, appliances, materials, and supplies* used in the manufacture or assembly of mobile homes, modular or prefabricated buildings, recreational vehicles, houseboats, cabin cruisers, and portable shelters designed for housing, storage, and recreational purposes, from Atlanta, Ga.; Aurora, Belleville, Brookfield, Princeville, and Rockford, Ill.; Elkhart and South Bend, Ind.; Wichita, Kans.; Detroit, Mich.; Newark, N.J.; Sidney, Ohio; and Lancaster, Pa.; to points in Arizona, California, Nevada, and McMinnville, Oreg.; and (b) *butane tanks and aluminum water storage tanks* for travel trailers and recreational vehicles from Hemet, Calif., to points in the United States (except Alaska and Hawaii), under contract with Motor Rim & Wheel Service of California. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Los Angeles, Calif.

MOTOR CARRIER OF PASSENGERS

No. MC 90947 (Sub-No. 23), filed August 27, 1971. Applicant: MT. HOOD STAGES, INC., doing business as PACIFIC TRAILWAYS, 1068 Bond Street, Bend, OR 97701. Applicant's representative: Raymond D. Givens, 500 Washington Street, Box 94, Boise, ID 83701. Authority sought to operate as a *common carrier*, by motor vehicle, over

regular routes, transporting: *Passengers and their baggage and express and newspapers in the same vehicle with passengers,* between East Burley Junction, Idaho, and Snowville, Utah, serving no intermediate points, from Junction U.S. Highways 30S and 30N (East Burley Junction) over U.S. Highway 30N to junction Interstate Highway 80N (North Burley Junction), thence over Interstate Highway 80N to Snowville. NOTE: Applicant states that a portion of its present authority reads in part: "Thence from Burley, Idaho over U.S. Highway 30 south to Brigham City, Utah." The above quoted portion passes through the intermediate points of Malta and Strevell, Idaho and Snowville, Utah. The portion of U.S. Highway 30 between the junction of U.S. Highway 30N, designated as East Burley Junction and Snowville has been supplanted by Interstate Highway north, generally between Burley, Idaho and Snowville, Utah. Applicant further states that U.S. Highway south between Burley Junction and the Idaho line south of Strevell is not maintained during winter and is either closed and impassable or hazardous to passengers and equipment, and applicant requests revocation of that portion of its authority. Applicant requests that after revocation of the said portion, its authority, it be granted the authority as sought in the instant application. If a hearing is deemed necessary, applicant requests it be held at Boise, Idaho.

No. MC 128758 (Sub-No. 4), filed August 18, 1971. Applicant: BLUE LINES, INC., 2001 New York Avenue NE., Washington, DC 20002. Applicant's representative: Leonard A. Jaskiewicz, 1730 M Street NW., Washington, DC 20036. Authority sought to operate as a *common carrier,* by motor vehicle, over routes, transporting: *Passengers and their baggage, and express and newspapers* in the same vehicle with passengers, between Beallsville and Dawsonville, Md., from Beallsville, Md., over Maryland Highway 109 to Poolesville, thence over Maryland Highway 107 to Dawsonville, Md., and return over the same route, serving all intermediate points, in connection with carrier's presently authorized regular route authority under MC 128758. NOTE: If a hearing is deemed necessary, applicant requests it be held at Brunswick, Md., or Washington, D.C.

No. MC 135870 (Sub-No. 1), filed September 20, 1971. Applicant: HI-WAY AMERICAN, INC., 2211–2311 East Vernor, Detroit, MI 48207. Applicant's representative: James F. Schouman, 21925 Garrison Avenue, Dearborn, MI 48124. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Passengers and their baggage,* in round trip charter operations beginning and ending at Detroit, Mich., and points within the commercial zone thereof, and extending to points in the United States (except Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit, Lansing, Pontiac, or Flint, Mich.

No. MC 165985 (Sub-No. 1), filed September 15, 1971. Applicant: HARRY F. FARR, Rural Route 8, Dunnville, ON, Canada. Applicant's representative: S. Harrison Kahn, 733 Investment Building, Washington, D.C. 20005. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, in charter and special operations, in round trip sightseeing and pleasure tours, beginning and ending at ports of entry on the United States and Canada boundary line and extending to points in the United States (except Alaska and Hawaii). Restriction: Transportation sought herein is restricted to foreign commerce only. NOTE: If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.71-15265 Filed 10-20-71;8:45 am]

[Notice 763]

MOTOR CARRIER TRANSFER PROCEEDINGS

OCTOBER 18, 1971.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-73167. By order of October 15, 1971, the Motor Carrier Board approved the transfer to Evelyn Mueller, doing business as Evelyn Mueller Trucking, 1605 South Shiloh Road, Sturgeon Bay, WI 54235, of that portion of the operating rights in certificate No. MC-105765 (Sub-No. 3) issued November 13, 1970, to The Ahnapee and Western Transportation Co., a corporation, 2148 Shawano Avenue, Post Office Box 3630, Green Bay, WI 54303, authorizing the transportation of general commodities between Green Bay, Wis., and Sturgeon Bay, Wis., serving all intermediate points, and between junction Wisconsin Highways 57 and 42 and Algoma, Wis., serving all intermediate points.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.71-15350 Filed 10-20-71;8:51 am]

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